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Agrahayana 9, 1888 (Saka)

LOK SABHA DEBATES

Sixteenth Session

LOK SABHA SECRETARIAT
New Delhi

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LOK SABHA

Wednesday, November 30, 1966/Agrahayana 9, 1888 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Foreign Interference in Assam Affairs

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*571. **Shrimati Tarkeshwari Sinha:**
Shri Vishwa Nath Pandey:
Shri H. C. Linga Reddy:
Shri P. R. Chakraverti:
Shrimati Savitri Nigam:
Shri Mohan Swarup:
Shri Bibhuti Mishra:
Shri K. N. Tiwary:
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri M. L. Dwivedi:
Shri D. C. Sharma:
Shri Kapur Singh:
Shri P. H. Bheel:
Shri Kishen Pattnayak:
Shri Madhu Limaye:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether his attention has been drawn to the statement made by the Chief Minister of Assam, that because of the interference of foreign powers, the problem of Assam is becoming more and more complicated; and

(b) if so, the steps taken by Government to see that Government machinery in Assam is not immobilised by the said interference?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) According to information furnished by the Government of Assam no such statement has been made by the Chief Minister. During the last session of the State Legislative Assembly, however, on a number of occasions the Chief Minister had to refer to subversive activities of the enemy agents within the State.

(b) To meet such activities all concerned authorities have been alerted to be constantly vigilant and the public also have been alerted through appeals etc.

Shrimati Tarkeshwari Sinha: May I know whether Government's attention has been drawn to the fact that these activities are very much organised with the connivance of the foreign plantation proprietors, and if so, what specific action Government have taken so far to see that these kinds of mischievous activities are not indulged in by these foreign plantations?

Shri Vidya Charan Shukla: According to our reports, no such specific instance has come to our notice where foreign planters have been involved in these activities.

Shrimati Tarkeshwari Sinha: May I know whether Government's attention has been drawn to the fact that these tribal areas have a direct link with various organisations in Pakistan, and if so, how Government propose to mop up these kinds of activities so that the Pakistani link could be completely eliminated from those areas? May I know whether Government propose to strengthen the administrative machinery in these tribal areas which are infected by these Pakistani agents?

Shri Vidya Charan Shukla: Yes, the hon. Member is quite right; there

are some groups like the Mizo hostiles and Naga hostiles, which have contacts with the Pakistan authorities. Several times we have answered this question in the House regarding the measures that we have taken to stop these activities and strengthen our borders so that these contacts are eliminated and reduced.

Shrimati Tarkeshwari Sinha: May I know whether any specific steps have been taken in view of that, and whether they are being taken at the present moment?

Shri Vidya Charan Shukla: Yes, they have been taken before and they will be taken.

Shrimati Tarkeshwari Sinha: What specific steps have been taken?

Shri Vidya Charan Shukla: We have increased our border security forces, posts, watch-towers and many other things. All that has been described here earlier.

श्री विश्वनाथ पाण्डेय : श्रीमन्, अभी माननीय उपमंत्री ने बतलाया कि असम के मुख्य मंत्री ने ऐसा नहीं कहा है ऐसा वक्तव्य या इस तरह की कोई चीज उन्होंने प्रकाशित नहीं की है लेकिन देखने में आया है और अखबारों में पढ़ने में आया है कि पूर्वी पाकिस्तान से बहुत से घुसपैठिये असम में आये हैं और वह रहते भी हैं और असम सरकार के कार्यों में अड़चन भी लगाते हैं तो इस के सम्बन्ध में सरकार की क्या प्रतिक्रिया है ?

श्री विद्या चरण शुक्ल : जी हां अध्यक्ष महोदय, इस तरीक के घुसपैठिये ईस्ट बंगाल से असम में आये हैं और उनको रोकने के लिए सभी संभव कार्यवाही की जा रही है। अभी जिस तरीके की घुसपैठियों की कार्यवाही कुछ बढ़ी थी उस के लिए अभी कुछ एसी कार्यवाही की गई है जैसे कि बौरडर सीक्योरिटी फोर्स बनाई गई है। कुछ आउट-पोस्ट्स गोलपाड़ा में जहां कि इस तरह की देश विरोधी चीज देखी गई थी वहां कायम की गई और वहां इस सम्बन्ध में विशेष प्रीकाशंस लिये गये हैं।

Shri P. R. Chakraverti: Keeping in view the serious situation created by continuing infiltration from East Pakistan into Assam, may I know what effective steps have been taken by Government to clear off a two-mile belt along the whole border, as had been promised earlier?

Shri Vidya Charan Shukla: Various measures were considered for this purpose, one of them being what the hon. Member has indicated, namely removing the population from two-mile belt along the entire border. But in view of the severe human misery involved and other attendant problems, it has not been implemented. There was also the question of sealing the border by barbed wire fences. But after a good deal of consideration with the Assam Government as well as among ourselves, it was found out that it would not be as effective as we would like it to be. So the most effective measure which could produce immediate result was to increase our vigilance all along the border. That we have done.

Shrimati Savitri Nigam: Keeping in view the very complicated situation, are Government intending to settle retired defence personnel and other people in some of those areas so that they could be a source of help to our intelligence department and other security personnel?

Shri Vidya Charan Shukla: We have a scheme of that kind under consideration and we have tried a pilot project in some border areas.

श्री विभूति मिश्र: क्या सरकार के ध्यान में यह बात आई है कि असम में, नागालैंड में, भी जो हिल्स में जो पादरी लोग रहते हैं उनका विदेशों से सम्बन्ध है और वे पादरी वहां की जनता को उकसा कर और भड़का कर अपनी एक चीन और हिन्दुस्तान के बीच में एक इंडिपेंडेंट स्टेट बनवा देना चाहते हैं। यह पादरी लोग इस तरह की कार्यवाही करते हैं

और यू० एन० ओ० में भी इस तरीके का अपना एक आवेदनपत्र देते हैं और यहां के लोगों को भी इस तरह से उकसाते हैं और पाकिस्तानी लोग जो हैं हम लोगों में भी कुछ ऐसे लोग हैं जो पाकिस्तानियों से मिले रहते हैं और जो कि असम के बाशिन्दे हैं और पाकिस्तान वाले भी आते हैं। मैं जानना चाहता हूं कि गृह मंत्री जी इस सम्बन्ध में कौन सा क़दम उठाना चाहते हैं ताकि उन सभी देशद्रोही तत्वों से छुटकारा मिले।

श्री विद्या चरण शुक्ल : ऐसे कुछ पादरी हो सकते हैं जो कि इस तरह की उकसाने वाली कार्यवाहियां करते हों साथ ही ऐसे पाकिस्तानी और अराजक तत्व वहां हो सकते हैं लेकिन सभी पादरियों के बारे में इस तरह की बात कहना ठीक नहीं होगा। कुछ ऐसे पादरी अवश्य हैं जिन्होंने इस तरीके की कार्यवाही की है और उनके विरुद्ध सरकार द्वारा कार्यवाही की गई है। एक ऐसे पादरी होते थे उनको हिन्दुस्तान से बाहर जाने का भी हुक्म दे दिया गया। बहरहाल इस तरह की देशविरोधी जो भी कार्यवाही करते हैं सरकार द्वारा उनके विरुद्ध कड़ा से कड़ा क़दम उठाया जाता है।

श्री क० ना० तिवारी : क्या यह सही है कि असम के मुख्य मंत्री ने जैसा कि डिप्टी मिनिस्टर साहब ने बतलाया उन्होंने यह भी सरकार को सूचना दी है कि यहां के पादरी राजनैतिक पार्टियों, मीजो विद्रोहियों और नागाओं से मिले हुए हैं जो नागाज और मीजोज पाकिस्तान से ट्रेड होकर यहां आ रहे हैं और उनके द्वारा यहां पर गोरिला वार की भी तैयारी की संभावना है तो सरकार इस सम्बन्ध में क्या कार्यवाही कर रही है?

श्री विद्या चरण शुक्ल : सरकार को मालूम है कि यह मीजो नेशनल फ्रंट के लोग पाकिस्तान के लोगों से मिले हुए हैं और इसलिए सरकार ने इस संस्था को गैर-क़ानूनी करार दे दिया है।

Shri P. C. Borooah: How far is the report correct that some money from Pakistan has already come into Assam to be used in connection with the elections? If so, what measures are going to be taken to put a stop to that?

Shri Vidya Charan Shukla: We have no information.

Shri S. C. Samanta: May I know whether recently some searches were made in Assam and some incriminating papers discovered concerning foreign power interference?

Shri Vidya Charan Shukla: The only interference we have discovered so far is from the Pakistan side.

Shri Subodh Hansda: Are Government prepared to take over all the missionary institutions which are run by the missioneries in Assam, which are centres of these subversive activities, particularly in the tribal areas?

Shri Vidya Charan Shukla: It is not possible nor desirable to suspect all the educational institutions. If we come across any instance of any institution being used for this purpose, we shall definitely take necessary action.

श्री म० ला० द्विवेदी : जिन मंत्री जी ने अभी हाल में गृह मंत्रालय का कार्यभार सम्हाला है वे पहले रक्षा मंत्री भी रह चुके हैं और उन्हें मालूम है कि बोरडर स्टेट्स में किस प्रकार की कठिनाइयां होती हैं मैं जानना चाहता हूं जैसा कि उपमंत्री महोदय ने मूल प्रश्न के उत्तर में बतलाया कि सरकार के पास अपनी कोई जानकारी नहीं है और असम के मुख्य मंत्री ने बतलाया है कि उन्होंने वैसा कोई वक्तव्य नहीं दिया कि ऐसी घटनाएं वहां हो रही हैं तो मैं जानना चाहता हूं कि क्या केन्द्रीय सरकार बोरडर क्षेत्रों में अपने कोई ऐसे सूत्र नहीं रखती जिससे उसे सब जानकारी मिल सके और वहां का तमाम ऐसी गतिविधियों का पता चल सके और हमारे देश को हानि पहुंचाने वाले तत्वों को निर्मूल किया जा सके, यदि नहीं तो क्यों नहीं?

श्री विद्या चरण शुक्ल : हमारे सूत्र हर जगह पर रहते हैं।

श्री म० ला० द्विवेदी : अध्यक्ष महोदय वह कहते हैं कि सूत्र कहते हैं। लेकिन पहले उन्होंने कहा कि उनके पास कोई सूचना नहीं है।

अध्यक्ष महोदय : सूचना नहीं है। जो सूत्र कहते हैं अगर वह सूचना नहीं पा सके, तो फिर क्या किया जाये।

Shri D. C. Sharma: I thank the hon. Deputy Minister for soft-pedalling the whole of this question. He said that there was nothing wrong with the p'anters, that though there were attempts, infiltration was under check. May I ask him one question? Is it not a fact that in spite of the good news that he has given on the floor of the House, the infiltration is on the increase, the number of persons who are being trained in Pakistan in collusion with the Chinese is on the increase, and the spirit of insurrection is on the increase in these border areas? If it is so, is it not a fact that all the precautions and all the measures taken by the Government so far have proved to be ineffective?

Shri Vidya Charan Shukla: I would not say that our precautions have proved to be ineffective. I have myself said that recently we have noticed an increase in these infiltration attempts in Assam, and we are taking special measures to check them.

Shri Kapur Singh: I want to know which of our two well-known frineds on our borders is more virulently active against India in so far as the State of Assam is concerned.

Shri Vidya Charan Shukla: Pakistan.

श्री मधु लिमये : अध्यक्ष महोदय, मंत्री महोदय ने कहा कि असम के मुख्य मंत्री के द्वारा इस किस्म का कोई बयान नहीं दिया गया था। लेकिन पिछले साल से पूर्वोत्तर सीमावर्ती रेलवे पर जो हमले हुए उनको लेकर सुरक्षा मंत्री और रेलवे मंत्री डा० रामसुभग सिंह ने कई बयान सदन के सामने पेश किये हैं। सरक्षा मंत्री ने कहा था कि फ्रेंच मार्का के राकेट मिले है जिसकी अब भी पूछ ताछ हो रही है और डा० राम सुभग सिंह ने कहा था कि विदेशियों के द्वारा उसमें हस्तक्षेप किया जा रहा है। तो मैं प्रार्थना करता हूं कि मंत्री महोदय इसकी पूरी इत्तला दें कि सही स्थिति इस बारे में क्या है?

श्री विद्या चरण शुक्ल : मैंने स्वयम् कहा कि जो विदेशी शक्तियों के एजेन्ट हैं वह वहां पर ऐक्टिव हैं और उनके द्वारा इस तरह की कार्रवाई की जा रही है।

श्री मधु लिमये : आप इसका इलाज क्या कर रहे हैं। आपने कहा कुछ जानकारी नहीं है।

श्री विद्या चरण शुक्ल : इलाज क्या करेंगे वह भी बतला चुका हूं।

श्री मधु लिमये : नहीं बतलाया है।

अध्यक्ष महोदय : बतलाया है। कई सवाल हुए।

Shri Swell: The Deputy Minister, in answer to the question of Shrimati Nigam, stated that the Government has a scheme of settling the border areas with the ex-servicemen of this country. Will he spell out as to which are the areas that the Government has decided to settle with ex-servicemen in this country, and whether in coming to any decision in this regard Government have consulted the local border peop'e and got their consent for the operation, or is he going to do all these things over their heads?

Shri Vidya Charan Shukla: We will implement, and we have implemented, this policy with the full consent of the local people. We have tried this as a pilot project in some areas in NEFA to begin with.

Shri Swell: My question has not been answered. This question relates to Assam, not NEFA. He has said that the Government has agreed to settle ex-servicemen in certain border areas in Assam. My question is that he should mention some of these

areas. He has evaded that part of the question.

Shri Vidya Charan Shukla: The hon. lady Member asked a general question whether we want to settle ex-servicemen in border areas, and so I said this is under our consideration and we have started a pilot scheme.

Shri Swell: He says he has got a scheme . . . *(Interruptions.)*

श्री शिव नारायण : अध्यक्ष महोदय, मैं सरकार से यह जानना चाहता हूं कि जो पादरी वहां बसे हुए हैं उनमें कितने विदेशी हैं और कितने देशी हैं, और जो प्लान्टर्स अथवा गार्डनर्स हैं उनमें कितने फारेनर्स हैं और कितने देशी हैं। जो फारेनर्स हैं बार्डर पर उनकी जायदाद के बारे में सरकार क्या सोच रही है।

श्री विद्या चरण शुक्ल : यदि इस बारे में नोटिस दी जाये तो मैं बतला सकता हूं।

Shri Hem Barua: The Assistant High Commissioner's office of Pakistan in Shillong was abolished because of its proved involvement in encouraging Pakistan saboteurs in the State of Assam. In that context, may I know whether our Government is aware of the fact that the Deputy High Commissioner's office of Pakistan located in Calcutta is actively encouraging Pakistani infiltration into the State of Assam and encouraging rebellion among the hill tribes of Assam with arms and ammunitions and, if so, may I know whether the Government considers this as a violation of the Tashkent pact, and if they consider it to be a violation of the Tashkent pact by Pakistan, what positive steps are being taken to bring Pakistan into a reasonable frame of mind?

Shri Y. B. Chavan: As far as infiltration is concerned, certainly we accept that on their side they are training some people for infiltration. To that extent they have broken the Tashkent spirit.

Shri Hem Barua: And the letter too.

Shri Y. B. Chavan: Both letter and spirit. As far as the political aspect is concerned, we have to think about it. They may have signed the Tashkent agreement insincerely but our approach has been as had been explained on many occasions by the Foreign Minister, we would like to stand by the Tashkent agreement.

Shri Hem Barua: There can be no unilateral implementation of a bilateral pact such as the Tashkent agreement.

Shri Y. B. Chavan: Mr. Hem Barua is entitled to his opinion. I am explaining the Government's position. He may not like it; he may disapprove of it and he is certainly entitled to do so. As far the as the Assam infiltrations are concerned, we are quite aware that they are trying to push in people after training them and we have to take care and see how we resist it. As the Deputy Minister explained, we have taken certain steps and will continue to take certain steps.

Shri Hem Barua: What about the Deputy High Commissioner in Calcutta.

Shri Y. B. Chavan: I would require notice before I make any specific commitment on this question.

Voluntary Retirement

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*572. **Shrimati Savitri Nigam:**
Shri D. C. Sharma:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government propose to chalk out a scheme for voluntary retirement in order to raise the standard and efficiency of services and also to get rid of frustrated and disgruntled officers of middle age group; and

(b) if so, the broad details of this scheme and when this scheme will be implemented?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) and (b). A statement is laid on the Table of the House.

Statement

Special retirement terms have been sanctioned for surplus staff who have put in a minimum of 15 years service and who opt to retire voluntarily. A copy of the orders issued by the Ministry of Finance, indicating the terms for voluntary retirement in such cases was placed on the Table of the House by the Deputy Minister of Finance on the 28th April, 1966, in reply to Starred Question No. 1408. As explained in the statement laid on the Table of the Lok Sabha on 16th November, 1966 in reply to Unstarred Question No. 1519, by Shri Maheshwar Naik, proposals to implement the recommendations contained in the paper on "measures for strengthening administration" and the Committee on Prevention of Corruption (Santhanam Committee) to the effect that the Government should have powers to compulsorily retire a Government servant who had completed 25 years of qualifying service or had attained the age of 50 years, without giving any reason and without liability for special pension, are under consideration. The question whether Government servants also should be given a reciprocal right to so retire is also under consideration.

Shrimati Savitri Nigam: Is the hon. Minister aware that there are a large number of people in the services who get completely demoralised and frustrated because they are victims of the departmental promotion committees and by the nepotism and favouritism which is prevalent in the services? On the one hand they distribute that frustration around them and on the other they keep all the other young and good officers blocked, though they could do much better than their superiors? Is the Government thinking of some solution to remove the frustration and allow these officers to come up, those officers who have in an unjust manner been superseded by the juniors?

Shri Vidya Charan Shukla: Some individual cases of this kind may arise but there are regular procedures laid down for redressal of such grievances.

Shrimati Savitri Nigam: I get the the same reply in this statement. The statement says that the question whether Government servants also should be given a reciprocal right to so retire is also under consideration. Notice of the question was given last time about six months ago and the same, indentical reply was given. I would like to know how long the Government is going to take to come to this very valuable decision?

Shri Vidya Charan Shukla: It is a very complicated question and it would affect lots of people. So, a great deal of thought and consultation is necessary. So, some time is being taken for that.

Shri D. C. Sharma: On the one hand the Government has been raising the age-limit of retirement. I think it is now 58. On the other hand, the Government is denying some of the young officers, whom the hon. lady Member knows very well—I also know them—their due. Some young officers are not given their due because of certain vasted interests which are there in every Ministry at the Centre and in every department in the States. I want to know how the Government is going to streamline the administration of this country by removing the deadwood of superannuated persons from the Ministries so that the Ministries function more efficiently and more brightly than hitherto?

Mr. Speaker: It does not relate to this question.

Shri Vidya Charan Shukla: The question of the hon. Member hardly

relates to this question, but still we have got a special staff—inspection—

Shri D. C. Sharma: His intelligence quotient is very low, Sir.

Mr. Speaker: Order, order. Next question.

Shri D. C. Sharma: Sir, how are they going to reconcile this? They must tell me; let us have a reply to the question.

Mr. Speaker: Next question. Shri Yashpal Singh.

Shri D. C. Sharma: Sir, on a point of order. When the Minister says that this question is not related to the main question, you should come to our rescue.

Mr. Speaker: My difficulty was this—

Shri D. C. Sharma: The young Minister says to me that my question does not relate to the main question. How long has he been in the Lok Sabha?

Mr. Speaker: The hon. Member is justified, but before the Minister spoke, I had said the same thing.

Law and Order during General Elections

*573. **Shri Yashpal Singh:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have taken adequate measures to maintain law and order during the ensuing General Elections; and

(b) if so, the broad details thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) and (b). State Governments and Administration of Union Territories are fully alive to the situation and will take adequate measures with such assistance from the Central Government as may be necessary, to maintain law and order during the ensuing General Election. These measures will be worked out in the light of the experience of the previous General Elections and of the present conditions.

श्री यशपाल सिंह : उत्तर प्रदेश के भूतपूर्व मुख्य मंत्री श्री सी० बी० गुप्त ने कहा था कि आचार्य कृपलानी की इलैक्शन में कांग्रेसी वोटर्ज को बैल्ट बाक्सिस तक नहीं जाने दिया गया और पुलिस भी उनको पहुंचाने में सफल नहीं हो सकी। पुलिस ने भी काफी कोशिश की लेकिन वह भी मुखालिफ वोटर्ज को रोक नहीं सकी। इस हालत में जबकि उत्तर प्रदेश के भूतपूर्व चीफ मिनिस्टर जैसे आदमी का यह कथन है और उन्होंने माना है कि बैलट बाक्सिस तक न हीं जाने दिया गया तो इस तरह की घटनायें फिर न हों, इसके लिए सरकार क्या उपाय सोच रही है ?

The Minister of Home Affairs (Shri Y. B. Chavan): I do not know what happened in the last elections, because I have not got any information on that. Really speaking, this question relates to what preparations we are going to make for the coming general elections, and the answer that we have given is that we have made studies of the experiences of the last election and we are studying the present situation, because what is likely to happen is certainly likely to happen as a result of the present situation. So, some detailed studies are being made with the help of the State Governments, and in the course of a few weeks to come, we will prepare certain detailed plans as to how to meet the situation.

श्री यशपाल सिंह : इसके लिए कोई सैंट्रल बाडी होगी या जिले के अधिकारियों के ऊपर यह काम छोड़ दिया जाएगा ? इस चीज को देखने के लिए आपके पास क्या साधन हैं कि जो आप कदम उठा रहे हैं उनका नाजायज इस्तेमाल मुखालिफ पार्टी के खिलाफ तो नहीं हो रहा है ?

Shri Y. B. Chavan: Certainly there is no question of advantage taken by one party against any other political party. Naturally in all these matters, the State Governments will have to be depended upon. We will give them whatever assistance they require. We propose that by the end of December or in January the Chief Secretaries of all the States will be called here and all these arrangements will be gone into in detail.

Shri Ranga: May I know under whose control the police will be working during the election week or the fortnight ending with the actual polling day—under the control of the local Collector, the DSP and the local ministry or under the control of the returning officers and election officers whom they would be appointing? If it is under the control of the latter, would they be empowered suitably to take necessary disciplinary action against such police who are found to be behaving not properly?

Shri Y. B. Chavan: I have not got the rules and regulations with me at the moment, but in the area which will be under the control of the polling officers or election officer, there naturally everything will be subject to his orders. Beyond that, it will be under the jurisdiction of the district magistrate.

Shri Ranga: District election officers and returning officers are going to be appointed. In between if you allow the police officers to play mischief, there would be no safeguard at all.

Shri Y. B. Chavan: The question is whether really speaking we believe in the machinery or not.

Shri Ranga: The machinery has to work.

Shri Y. B. Chavan: Certainly it will work under the election officers, but it will depend upon what authority has been conferred on them under the Act. I cannot give more powers to them than what they have under the Act.

Shri P. Venkatasubbaiah: Apart from augmenting the police and other forces for peaceful conduct of elections, does the Minister propose to have a talk with the Election Commissioner and see that the polling booths are situated not in relation to the population, but having regard to proximity, taking the village as the unit, so that the voters may be able to vote without having to cover long distances?

Mr. Speaker: Order, order. This does not arise out of this question.

Shri Bade: The Minister said that the Chief Secretaries would be called here. Does he propose to direct the Election Commissioner and the election officers to call the opposition leaders and have some *Achar Samhita* so that there may be some understanding between the opposition parties and the Congress Party?

Shri Y. B. Chavan: It is a very good suggestion. If the leaders of all political parties at the national, State and district level meet and evolve some sort of a code of conduct on how to behave previous to the elections and during the elections, it will be certainly a great contribution, and I would welcome it.

Shri Bhagwat Jha Azad: Though law and order is for the Government to maintain, since the threat to law and order may arise out of the bad handling of the election issues not only by the administration as it is being said by some friends, but also by a large number of frustrated elements roaming about the country with no chance of success in the elections, has the Government taken that into consideration and suggested certain procedures as to how they should conduct themselves this time?

Shri Y. B. Chavan: Really speaking it does not come within the purview of the Election Commission as such. It is mostly an issue of public order and partly a political question. That is why I suggested that the leaders of all political parties may meet and

evolve some code of conduct. That is the only constructive approach.

श्री सरजू पाण्डेय : अभी मंत्री जी ने बताया है कि राज्य सरकारों के चीफ सेक्रेटरीज से इस सम्बन्ध में बुलाया जायेगा। आम तौर से देखा जाता है कि जो व्यक्ति राज्यों में पोलिंग आफिसर नियुक्त किये जाते हैं, वे साधारण स्थिति के आदमी होते हैं। कभी कभी स्कूलों के डिप्टी इंस्पैक्टर और ओवरसियर भी पोलिंग आफिसर बना दिये जाते हैं। मैं यह जानना चाहता हूं कि क्या भविष्य में बड़े आफिसरों को इस पद पर नियुक्त किया जायेगा, ताकि वे लोगों का कान्फिडेंस कमांड कर सकें, लोगों का विश्वास प्राप्त कर सकें।

Shri Y. B. Chavan: Sir, personally, I do not accept the suggestion that only because any government servant is low-paid therefore he lacks integrity. If at all we are to carry on the huge operation of general elections being completed within the shortest possible period, we have to take the aid and assistance of practically all shades of government officials.

Shrimati Tarkeshwari Sinha: May I know whether Government are aware, from the experience of the last elections, that in the polling booths in a particular village people from some other village are not allowed to come in time and in the meanwhile bogus voting is done; if so, in view of this fact and to avoid large-scale abuse of this particular thing, whether the Government has established any liaison with the Election Commission at this level to see that this kind of thing does not happen?

Shri Y. B. Chavan: It is a matter, really speaking, for the Election Commission to look into. This is not a matter of law and order as such.

Shrimati Tarkeshwari Sinha: People from another village are not allowed to come. That is a matter of law and order.

Shri Y. B. Chavan: The hon. Member also made a suggestion or hinted at some sort of bogus voting.

Shrimati Tarkeshwari Sinha: Because people from the other village are not allowed to come.

Shri Y. B. Chavan: I have understood the hon. Member's point. I am merely taking care to see that by answering certain questions here I do not encroach upon certain privileges and rights of the Election Commissioner. As far as the law and order question is concerned, certainly we will give all assistance that the Election Commissioner needs in this matter.

Shri Hem Barua: Our experience is that very often than not the services of government officials are harnessed by certain candidates belonging to a certain political party. If that is so, may I know whether Government has contemplated any steps to ensure against involvement of government servants in elections on behalf of certain candidates.

Mr. Speaker: That is a different question. We are discussing law and order (*Interruption*).

Shrimati Savitri Nigam: Sir, during the last elections the rules were framed but they were framed so late that they could not be sent or communicated to that lower level where they were required. The result was that most of the polling officers were quite ignorant of some the rules and it became the duty of the candidate also to educate them. The House has shown its concern by the question put yesterday where it was stressed that there should be no delay in framing the rules. I would like to know from the hon. Minister how soon these rules are going to be framed in consultation with the Election Commission?

Mr. Speaker: What has that to do with the law and order position we are discussing (*Interruption*)?

Shri S. M. Banerjee: Sir, I am sure the hon. Minister is aware that many

political leaders and political workers belonging to the Opposition are behind the bars under the P.D. Act and various sections of other Acts. I would like to know whether, when the hon. Minister discusses this question of law and order with the Chief Secretary, the question of their release before the elections will be considered so that they may also become candidates and work for the elections?

Mr. Speaker: How does that come? Maintaining law and order during the elections and release of persons are different things.

Shri S. M. Banerjee: I will explain. Under the P.D. Act.....

Mr. Speaker: No, it does not arise (*Interruption*).

Metallurgical Equipment for Mining of Copper

*575. **Dr. Karni Singhji:** Will the Minister of **Education** be pleased to state:

(a) whether India has developed the technical know-how and the metallurgical equipment for mining of copper; and

(b) if not, the steps which are being taken to encourage studies in this particular branch by our Engineers and also to produce the equipment within the country?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) and (b). Basic technical know-how for mining of copper ore is available. Very little work has been done for developing technical know-how for metallurgical equipment for mining of copper. However, courses of studies in different branches of mining are available in Universities and technical institutions in the country.

Dr. Karni Singhji: May I know if the East European countries are prepared to train our engineers in mining processes and also in the manufacture of mining equipment and, if so, what benefit has been gained by such offers and how many engineers are at present under training in those countries?

Shrimati Soundaram Ramachandran: We are getting co-operation from other countries for mining and we are sending students. I have not got the number. As far as certain processes are concerned, we are ourselves developing them. The technical know-how for mining equipments for copper can be supplied indigenously by the Mining and Allied Machinery Corporation, Durgapur and the Heavy Engineering Corporation, Ranchi. I have not got the number of students who are undergoing training.

Dr. Karni Singhji: May I know if any offer of collaboration has been received from the East European countries to help our mining industry and, if so, how do their terms compare with the terms of collaboration offered by American companies?

Shrimati Soundaram Ramachandran: We are sending students to East European countries also. I do not have the details to compare them.

Shri K. C. Pant: How does the Education Department ensure co-ordination between the production departments and industry on matters of this kind?

Shrimati Soundaram Ramachandran: Through the CSIR. We have got the national laboratories. There is liaison between the industries and CSIR.

Merger of Bonus with Monthly Pay of Workers

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*576. **Shri S. C. Samanta:**
Shri M. L. Dwivedi:
Shri Subodh Hansda:
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
Dr. M. M. Das:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether any proposal is under consideration regarding the merger of bonus with the monthly pay of the workers; and

(b) if so, steps, if any, taken by Government in this direction?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): (a) No, Sir.

(b) Does not arise.

Shri S. C. Samanta: May I know how the amount of bonus to be given to the workers is fixed by the industrialists and whether any uniform policy is followed in all cases?

Shri Shahnawaz Khan: Yes, Sir. There is a set procedure laid down. 60 per cent of the allocable surplus is set aside for payment as bonus.

Shri S. C. Samanta: Is it not a fact that there were some strikes and lock-outs for non-payment of bonus to workers? If so, will Government interfere in the matter and instruct the industrialists not to withhold payment of bonus?

Shri Shahnawaz Khan: Wherever there is a dispute, there is a certain procedure for resolving the dispute. Wherever the industrialists do not pay the bonus, they can be prosecuted.

श्री म० ला० द्विवेदी : बोनस के बारे में अनेक प्रकार की शिकायतें आती हैं कि वह समय पर नहीं मिलता है, देर से मिलता है और उसको देने में गड़बड़ की जाती है। मैं यह जानना चाहता हूं कि क्या सरकार बगैर डिस्पूट को आपन किये ऐसे मामलों को हल करने की कोशिश नहीं करती; यदि नहीं तो क्यों। सरकार स्वयं ऐसी कोई व्यवस्था क्यों नहीं करती कि वर्कर्ज को समय पर बोनस मिल जाया करे और इंडस्ट्रियलिट्स देर न कर सकें ?

श्री शाहनवाज खां : अक्सर तो बोनस वक्त पर मिल जाता है, लेकिन, जैसा कि मैंने अर्ज किया है, जहां वह वक्त पर नहीं मिलता है, तो वे मामलात कानसिलियेशन मशीनरी से भी हल किये जाते हैं। जहां कोई जान-बूझ कर देर करता है, तो उसको प्रासीक्यूट भी किया जा सकता है।

Shri P. C. Borooah: May I know whether the bonus scheme has been applied to all the public sector undertakings? If not, which type of public sector undertakings are not under the bonus scheme? What percentage of the workers will come within the scope of the Bonus Act?

Shri Shahnawaz Khan: It is all mentioned in the Bonus Act. All the public sector undertakings which compete with the private sector have to pay bonus to the extent of 20 per cent.

श्री भागवत झा आजाद : क्या सरकार सिद्धान्ततः बोनस को तन्खवाह में मिलाने के खिलाफ़ है ? क्या सरकार ने इस विषय पर विचार किया है और अगर विचार करने के बाद वह इस राय पर पहुंची है कि अभी यह संभव नहीं है, तो इस बढ़ती हुई महंगाई में वर्कर्ज को कम्पेन्सेट करने के लिए और क्या उपाय किये गए हैं ?

श्री शाहनवाज खां : बोनस कमीशन ने इस मामले पर गहराई से सोच विचार किया है और उसने जो सिफ़ारिश की है, हम उन्हीं पर चल रहे हैं। इसलिए बोनस को तन्खवाह में मिलाने के लिए यह कोई सही वक्त नहीं है।

Shri Dinen Bhattacharya: When certain sections of the Bonus Act were declared void by the Supreme Court, the hon. Labour Minister assured the House that some steps will be taken by the Government to see that the provisions which have been declared null and void may be brought within the scope of the Act in some other form and that it will be done in the near future by Government. Has anything been done in that direction?

Shri Shahnawaz Khan: The hon. Member is perhaps aware . . . .

Shri Dinen Bhattacharya: Let the hon. Minister answer.

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): I think, the hon. Deputy Minister will have given quite

a satisfactory reply. Perhaps the hon. Member is aware that the matter was taken up in the Standing Labour Committee.

Shri Dinen Bhattacharya: Nothing came out of it. They did not agree.

Shri Jagjivan Ram: I do not know how the hon. Member thinks that he is a better champion of labour than the representatives of labour on the Standing Labour Committee. All the central Organisations of labour are represented on that committee. They and the employers themselves set up a bi-partite committee. They did not even permit Government to be represented on that. By mutual agreement they have fixed a date for making their recommendations. I do not know what the hon. Member wants further.

Shri Dinen Bhattacharya: I want speed.

Shrimati Ramdulari Sinha: May I know whether the Government think it necessary to give incentive bonus to sugar factories' employees including production bonus?

Shri Shahnawaz Khan: Sugar factories are seasonal factories.

Mr. Speaker: Shri Kachhavaiya.

Shrimati Ramdulari Sinha: My question was whether there was any proposal to give incentive bonus including production bonus to sugar factories' employees.

Shri Shahnawaz Khan: As far as I am aware, there is no incentive bonus in the sugar industry.

Mr. Speaker: Even if there is, the lady questioner and the Minister, who is answering, should address me. Every speaking should be directed towards me.

श्री हुकम चन्द कछवाय : क्या सरकार के ध्यान में यह बात आयी है कि मिल मालिकों की तरफ से बोनस देने में या भविष्य निधि जमा करने में काफ. विलम्ब जब हो जाता है तो काफी तादाद में पैसा उन पर चढ़ जाता है. और उनका प्रयत्न होता है कि हमको टाला जाय या निपटाया जाय तो मैं जानना चाहता हूं कि इन्दौर स्वदेशी मिल है जिस पर 3 लाख रुपया भविष्य निधि का था और उसी का भोपाल का टैक्सटाइल मिल है जिस पर 7 लाख रुपया भविष्य निधि का था, लेकिन तीन लाख वाले मिल मालिक को जेल में डाला गया और सात लाख वाले मिल मालिक ने क्योंकि मध्य प्रदेश के मुख्य मंत्री को अपना बंगला फ्री रहने के लिए दिया हुआ है.

अध्यक्ष महोदय : इसमें मजदूर आफ बोनस का सवाल है। आप जा कहां रहे. (**व्यवधान**)

श्री बड़े : बिलकुल मुफ्त में दिया हुआ है. .

श्री हुकम चन्द कछवाय : मुफ्त में दिया हुआ है, यह मेरा आरोप है. . . (**व्यवधान**)

श्री जगजीवन राम : यह आरोप सदन के बाहर लगाएं तो अच्छा होगा।

Shri Radhelal Vyas: What he has stated should be expunged.

श्री बड़े : मेरे को मालूम है. . (**व्यवधान**)

अध्यक्ष महोदय : अगर ऐसा जातीय किसी का नाम लेना हो तो पहले इत्तिला दी जाय ताकि मैं मिनिस्टर को तैयार कर सकूं जवाब देने के लिए। इस तरह से आप नहीं ला सकते।

श्री हुकम चन्द कछवाय : मुख्य मंत्री का बंगला दिया हुआ है रहने के लिए उस मालिक ने इसलिए उस पर कोई कार्यवाही नहीं की गई। तो मैं यह जानना चाहता हूं कि बोनस देने में जो यह विलम्ब होता है, काफी दिनों तक विलम्ब होता है, दो दो तीन तीन साल तक बोनस चढ़ जाता है तो उसे निपटाने के लिए सरकार सुविधा करेगी कि उनका बोनस पगार के साथ या दो तीन महीने के अन्दर दे दिया जाय ?

अध्यक्ष महोदय : विलम्ब का ताल्लुक यहां नहीं है। यहां मर्जर का ताल्लुक है।.. (**व्यवधान**) विलम्ब का सवाल नहीं है यह।

श्री बड़े : उनको दिया नहीं जाता है, चढ़ा लिया जाता है . . .

अध्यक्ष महोदय : वह अलग सवाल है। इन्होंने जो सवाल किया वह मर्जर का नहीं है, (**व्यवधान**)... अब आप मेरे साथ आर्गू करने लगे।

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय, आप तो मेरे साथ अन्याय कर रहे हैं।

Shri Bade: Sir, I will convince you. Whenever bonus is not given, the mills are closed because there is dissatisfaction among the workers. So, he wants to know why bonus is not given along with the pay or merged with the pay.

अध्यक्ष महोदय : उन्होंने मर्जर का सवाल नहीं किया है। एलांग विद दी पे तो अलाहिदा सवाल रहेगा। दिया जाना, पेमेंट करना और बात है और मर्जर उसका होना होना और बात है।

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय, मंत्री जी जवाब देने के लिए तैयार हैं, आप जवाब दिलवाइए। यह इतने महत्व का प्रश्न है।

अध्यक्ष महोदय : आर्डर प्लीज।

श्री हुकम चन्द कछवाय : यह रात दिन झगड़ा रहता है . .

अध्यक्ष महोदय : इस सवाल पर आप नहीं पूछ सकते। उसके लिए अलाहिदा सवाल करिए।

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय, यह तो बाल की खाल निकालने जैसी बात है।

अध्यक्ष महोदय : अब आप बैठ जाइए।

श्री हुकम चन्द कछवाय : लेकिन यह इससे बिलकुल संबंधित प्रश्न है**

अध्यक्ष महोदय : यह लिखा न जाय। अब आप को मना भी किया गया। आप उसको दोहरा रहे हैं। इस पर वह नहीं लागू होता है।

श्री बागड़ी : अध्यक्ष महोदय, मैं आपकी व्यवस्था चाहता हूं कि क्या यह वजह है जैसा कि उन्होंने कहा है, क्या इस कारण से देरी हो रही है, तो इसका जवाब दिया जाय।

अध्यक्ष महोदय : नहीं देरी का सवाल नहीं है।

श्री बागड़ी : विलम्ब के बारे में उन्होंने कहा कि मुख्य मंत्री के बंगले की वजह से यह हो रहा है।

अध्यक्ष महोदय : अगर मैं नहीं समझा सकता तो मेरा कसूर है। यह सवाल विलम्ब का नहीं है। और वह बार बार विलम्ब का सवाल कर रहे हैं। इस वास्ते वह रैलेवेंट नहीं है।

Shri S. M. Banerjee: Is this question of bonus—and there are certain sections which were struck off by the Supreme Court—likely to be discussed in the bipartite committee? I would like to know whether the hon. Minister is aware that there is a growing discontent among the Railway workers, the Defence wokers, the P&T workers and the other Central Government employees and that they have also demanded payment of bonus, either incentive bonus or any other type of bonus, under the Bonus Act and, if so, whether this question will also be discussed in this bipartite committee.

Shri Jagjivan Ram: No, Sir.

**Not recorded.

Compulsory National Service for Students

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*577. **Shri Yashpal Singh:**
Shri Ram Sewak Yadav:

Will the Minister of **Education** be pleased to state:

(a) whether Government have taken any decision regarding the scheme to introduce compulsory national service for students; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) and (b). The matter is under consideration.

श्री यशपाल सिंह : कुछ यह पता नहीं लगा सरकार की नीति का कि राष्ट्रीय सेवा क्या कोई अलग चीज है ? हमारे स्टूडेंट्स बाडी बिल्डिंग करें, कैरेक्टर बिल्डिंग करें यूनिवर्सिटी में ऊंचे नम्बरों से पास हों यही राष्ट्रीय सेवा है या अलग कोई राष्ट्रीय सेवा नाम का जन्तु है जो कहीं और ले जाकर सीखना पड़ेगा ? हमारे वैदिक ऋषियों का कहना है : "पुरुषो वै राष्ट्र"

अगर इंडिविडुअल सुन्दर होगा तो नेशन खुद सुन्दर हो जायगी तो राष्ट्रीय सेवा को यह क्या पुछल्ला लगा रखा है यह हमें बतायें ?

श्री भक्त दर्शन : श्रीमन्, पहले तो मैं यह निवेदन करना चाहता हूं कि राष्ट्रीय सेवा कोई जन्तु नहीं है । यह एक महत्वपूर्ण कार्यक्रम है और हमारा उद्देश्य यह है . . .

अध्यक्ष महोदय : जन्तु क्रियेट तो किया जा सकता है ।

श्री भक्त दर्शन : आप का मतलब क्या यह है, जो प्रश्न करने वाले हैं, वे उस श्रेणी के हैं ?

मेरा निवेदन है कि राष्ट्रीय सेवा का अर्थ यह है कि हमारे विद्यार्थियों के पास जो बहुत सा अवकाश रहता है जिसकी वजह से उनकी बुद्धि, उनकी सामर्थ्य, उनकी शक्ति बुरे रास्तों पर जाती है, उस का सदुपयोग किया जाय, उसे रचनात्मक दिशाओं में प्रेरित किया जाय और उसी के लिए कार्यक्रम तैयार किया जा रहा है ।

श्री यशपाल सिंह : माननीय मंत्री जी कुछ यह समझायें कि जब कि इस वक्त लेबर भी ज्यादा है, कर्मचारी भी ज्यादा हैं, एम्प्लायमेंट नहीं है, जहां एक का काम है वहां के लिए 20 उम्मीदवार खड़े रहते हैं तो उन विद्यार्थियों को अपने लाइन से, अपनी शिक्षा से और अपने कैरेक्टर बिल्डिंग से हटा कर के कौन सी लाइन सौंपी जायगी ?

श्री भक्त दर्शन : श्रीमन्, उनकी शिक्षा में कोई व्याघात नहीं पड़ेगा । जहां तक उनके चरित्र-निर्माण का प्रश्न है उस का भी ध्यान रखा जायगा पर प्रयत्न यह होगा कि उनका जो समय खाली है, उस का सदुपयोग किया जाय । मैं समझता हूं कि माननीय सदस्य को इस पर कोई आपत्ति नहीं होनी चाहिए ।

Shrimati Renuka Ray: The hon. Minister replied to say that the matter is under consideration. Since this has been under consideration from the time of the provisional Parliament and certain recent events in the student world show how necessary it is to harness their youthful energy to constructive purpose, I would like to know whether, instead of this being under consideration in the future, some steps will be taken immediately to introduce compulsory national service among the student community.

The Minister of Information and Broadcasting (Shri Raj Bahadur): We attach the highest importance to this particular programme because in the development of an integrated personality of the students, it is absolutely essential to do so. The very many examinations and studies that have been launched in this particular matter have led to the conclusion that it entails a good deal of expenditure. We are trying to reconcile the availability or the lack of availability of

finances with the desirability of the objective that we have in view and that is what is taking time.

श्री प्रकाशवीर शास्त्री : क्या सरकार ने यह जानने का प्रयत्न किया है कि हमारे देश के विद्यार्थियों के पास अध्ययन के अतिरिक्त जो समय है, वह वर्ष में कितना खाली रहता है या दिन में कितना खाली रहता है, जिस के लिए कि यह अनिवार्य राष्ट्रीय सेवा के कार्यक्रम पर विचार किया जा रहा है ?

श्री भक्त दर्शन : जी हां, श्रीमन्; इस के बारे में डा० कोठारी की अध्यक्षता में एक अध्ययन दल काम कर रहा है, वह पूरे आंकड़े तैयार कर रहा है, लेकिन मोटे तौर पर साल में तीन-चार महीने खाली रहते है तथा प्रति दिन कुछ घंटे ऐसे होते हैं, जिन में वे खाली रहते हैं।

Shri S. N. Chaturvedi: May I know whether the matter under consideration is only utilisation of the leisure and spare time of the students during the period of study or there is also some idea of putting them to national service for a year before the University or the Higher Secondary courses?

Shri Raj Bahadur: As I have said the essential objective is to develop the integrated personality of the student and as a part of the regular educational curriculum it should be incorporated in the studies.

श्री मौर्य : अध्यक्ष महोदय, आप के द्वारा मैं शिक्षा मंत्री से जानकारी चाहूंगा कि पहले एक सोशल सर्विस चली थी और अब यह नेशनल सर्विस की बात आई है, तो इन समाज सेवा और राष्ट्र सेवा में क्या अन्तर है तथा इस सेवा राष्ट्र सेवा में देश की जो बड़ी बड़ी समस्यायें हैं, जैसे इस देश में छुआ-छूत और जातीयता की समस्या है, तो क्या राष्ट्र सेवा में जिन विद्यार्थियों को लिया जायगा, वे छूआ-छूत दूर करने के लिए, जातीयता और साम्प्रदायिकता दूर करने के लिए भी कार्य करेंगे, क्या इन कार्यों को भी राष्ट्र सेवा में शामिल किया जायगा ?

श्री भक्त दर्शन : श्रीमन्, राष्ट्र सेवा और समाज सेवा में कोई विशेष अन्तर नहीं है, दोनों एक ही अर्थ में प्रयोग किये जाते हैं पर इस का एक राष्ट्र-व्यापी कार्यक्रम होगा ।

अध्यक्ष महोदय : क्या उस में यह प्रोग्राम भी होगा कि जातीयता और छुआ-छूत को भी मिटाया जाय ?

श्री भक्त दर्शन : श्रीमन्, इन विस्तार की बातों पर अभी विचार किया जा रहा है ।

श्री मौर्य : साम्प्रदायिकता और अस्पृश्यता को दूर करने के लिए क्या विशेष प्रोग्राम उस में रहेगा, जिस में विद्यार्थियों की सहायता से उस क्षेत्र में कार्य किया जा सके ।

श्री राज बहादुर : राष्ट्र सेवा एक व्यापक अर्थ रखने वाला शब्द है, समाज सेवा इस के अन्तर्गत आती है । समाज सेवा के जो विभिन्न अंग हैं, उन का इस में समावेश है और मैं आशा करता हूं कि इस ओर भी ध्यान रखा जायगा ।

Shi P. Venkatasubbaiah: While formulating this national service scheme for the students to utilise their free time, may I know whether any item of exchange of students from one university to another university so as to promote not only linguistic harmony but also emotional integration, is also under consideration?

Shri Raj Bahadur: This may be taken into account and considered It is a matter of detail.

श्री जगदेव सिंह सिद्धान्ति : इस समय राष्ट्र सेवा के कार्यों में राष्ट्र रक्षण और अन्न उत्पादन सब से मुख्य हैं और इस समय जो विश्वविद्यालय के विद्यार्थी हैं या कालेजों के विद्यार्थी हैं, उनकी वर्ष में चार महीने से 7 महीने तक छुट्टी रहती है, क्या इस बात को

ध्यान में रख कर जो कृषि कालेजों में पढ़ने वाले विद्यार्थी हैं, उनको क्रियात्मक शिक्षा देने की दृष्टि से जब खेती की बुवाई होती है या पानी दिया जाता है, वह सेवा उन से लेने का क्या सरकार विचार कर रही है ?

श्री राज बहादुर : इस योजना का मुख्य अभिप्राय यही है, जिसका माननीय सदस्य ने संकेत किया है, उन को खेती की बुवाई में लगाया जाय या जिस काम पर लगाया जाय, यह विस्तार की बात है, किन्तु इस पर भी ध्यान रखा जा सकता है ।

श्री विभूति मिश्र : महात्मा गांधी ने कहा था कि देश में बेसिक एजूकेशन को चलाया जाय और सरकार ने उसको चलाया भी, लेकिन उस में सरकार का फेल्योर हो गया । क्या सरकार फिर उसी का नाम राष्ट्र सेवा रख कर बेसिक एजूकेशन के आधार पर इस को चलाने का विचार कर रही है ?

श्री भक्त दर्शन : श्रीमन्, बेसिक एजूकेशन प्राइमरी कक्षाओं तक ही सीमित है, परन्तु यहां पर मुख्यतः यह प्रश्न है कि यूनीवर्सिटी के छात्रों और कालेजों के छात्रों का उपयोग किस प्रकार से किया जाय ।

Shri Swell: The hon. Minister has just said that he attaches very great importance to this programme and he was saying that this has been under the consideration of the Government since the Provisional Parliament. May we know what determines the importance of the scheme, whether it is the length of consideration or the speed with which Government is going to do something, and when are they going to complete consideration and bring forward a scheme?

Shri Raj Bahadur: I think the hon. Member might recall that a commission under the chairmanship of Shri C. D. Deshmukh was appointed and it had made certain recommendations. The total financial implication of those recommendations was an expenditure to the tune of Rs. 111 crores and that was the particular stumbling block that came in the way of their implementation. Recently, again, a study was undertaken under the chairmanship of Dr. Kothari, and a study group is now trying to study how far this can be implemented within the financial limitations that we are labouring under.

श्री तुलशीदास जाधव : पहले जिस तरह से स्कूलों और कालेजों में वीक में इक नीति शास्त्र का पीरियड होता था, अब नहीं होता है, तो क्या अब सरकार उसको इन्ट्रोड्यूस करने के लिए विचार कर रही है ?

श्री राज बहादुर : नीति शास्त्र और समाज सेवा का सम्बन्ध नहीं है ।

श्री बड़े : मैं यह जानना चाहता हूं कि दस हजार मील से जो विदेशी मिशनरीज 50 करोड़ रुपये की विदेशी सहायता लेकर यहां आते हैं और गांव गांव में जाते हैं, उनके मुकाबले में मैंने देखा है कि हमारी जितनी सर्विसिज होती हैं वे सब बड़े बड़े गांवों में काम करती हैं । विदेशी मिशनरीज आदिवासियों में जा कर काम करते हैं तथा उनका धर्म परिवर्तन करते हैं, तो क्या सरकार ने उन के बारे में भी कोई स्कीम बनाई है, ताकि वहां पर भी काम शुरू हो सके ?

श्री राज बहादुर : समाज सेवा को जितना व्यापक बनाया जा सकता है, बनाने की चेष्टा की जायगी । समाज की जो आवश्यकता है, उसका समावेश करने की चेष्टा की जायगी ।

श्री हुकम चन्द कछवाय : जो विदेशी सहायता ले कर आते हैं और धर्म परिवर्तन करते हैं, उनको रोकने के लिए सरकार तैयार है या नहीं ?

अध्यक्ष महोदय : नेक्स्ट क्वेश्चन, श्री विश्व नाथ पाण्डेय ।

All-India Judicial Service

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*378. **Shri Vishwa Nath Pandey:**
Shri H. C. Linga Reddy:
Shri Vasudevan Nair:
Shri Warior:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 81 on the 27th July, 1966 regarding the All-India Judicial Service and state:

(a) whether Government have received replies from the State Governments regarding the setting up of the All-India Judicial Service;

(b) if so, the reaction of Government thereto; and

(c) if not, when the replies from the State Governments are likely to be received?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) So far replies have been received from the Governments of five States only.

(b) and (c) Replies from other State Governments are expected after they have completed their examination of the question. A decision will be taken after replies from all State Governments have been received.

श्री विश्वनाथ पाण्डेय : अभी मंत्री महोदय ने बताया है कि पांच राज्यों से उत्तर प्राप्त हो गया है । मैं यह जानना चाहता हूं कि उन पांच राज्यों का इस अखिल भारतीय न्यायिक सेवा स्थापित करने के सम्बन्ध में क्या विचार है ?

Shri P. S. Naskar: It is more or less a mixed reaction. They are not all of one opinion.

श्री विश्वनाथ पाण्डेय : क्या अखिल भारतीय न्यायिक सेवा स्थापित करने के सम्बन्ध में भारत सरकार सर्वोच्च न्यायालय के मुख्य न्यायाधीश से परामर्श करेगी ?

Shri P. S. Naskar: As and when the comments of the State Governments will come, definitely the Government of India will consult the Chief Justice of India in the matter.

Shri H. C. Linga Reddy: May I know the names of the States which have sent their opinions? May I also know whether the Chief Justices of the several High Courts have been consulted, and if so, what their opinion is?

Shri P. S. Naskar: The State Governments of Kerala, Madhya Pradesh, Madras, Punjab and Rajasthan have sent their replies and when they sent their replies they had consulted the Chief Justices of the respective High Courts.

Shri Hari Vishnu Kamath: Is the Minister aware of the observation made by the first Law Commission presided over by Shri Motilal Setalvad, now ex-Attorney-General, to the effect that appointments to even High Courts are made on grounds other than merit, that is, on extraneous grounds, on grounds not strictly related to merit, and if so, has this malaise spread to the lower rungs of the judiciary as well?

Shri P. S. Naskar: That does not arise out of the main question which relates to the formation of an all-India judicial service.

Shri Hari Vishnu Kamath: It does arise....

Mr. Speaker: The main question relates to the formation of an all-India judicial service.

Shri Hari Vishnu Kamath: But the service must be a good service; it should not be a bad service. Are we for a good service or for a bad service?

Mr. Speaker: That is a different thing altogether.

Shri Hari Vishnu Kamath: How can it be a different thing? We want a healthy service.

Mr. Speaker: Now, Shri Maurya.

श्री मौर्य : अध्यक्ष महोदय, एक्जीक्यूटिव, लैजिस्लेचर और जुडिशियरी तीनों ही स्वतंत्र

रहें और एक दूसरे से कोई हस्तक्षेप न करें इस सिद्धान्त को दृष्टि में रखते हुए इस संविधान में व्यवस्था है। इन को अलग रखने के लिये आर्टिकल 50 में व्यवस्था है—

"The State shall take steps to separate the judiciary from the executive in the public sevices of the State".

ये तमाम व्यवस्था होते हुए भी सरकार अभी तक ज्यूडीशियरी को एक्जीक्यूटिव से अलग नहीं कर पाई है, जब कि मेरी जानकारी में एक मैजिस्ट्रेट पुलिस-मैजिस्ट्रेट हो गया है और वह अपनी शक्ति और ताकत का इस्तेमाल करता है। क्या दिक्कतें आ रही हैं सरकार के रास्ते में, क्या असुविधाएं या परेशानियां हैं जिनके कि कारण अभी तक संविधान की इस धारा का पालन नहीं कर पाई है जो धारा कि इस देश के जनतंत्र की रक्षा करने के लिए अनिवार्य है क्योंकि जुडिशियरी जब तक आजाद नहीं रहेगी जनतंत्र आगे नहीं बढ़ पायेगा रूल आफ़ ला आगे नहीं बढ़ पायेगा ?

Shri P. S. Naskar: This is a State subject. Most of the States have done it.

Shri Maurya: What are the difficulties in the way of their implementing this?

Mr. Speaker: He says most of the States have done it.

12.00 hrs.

QUESTION UNDER RULE 40

श्री मधु लिमये: अध्यक्ष महोदय, आज के एजेंडा पेपर के आइटम नम्बर 2 के बारे में मेरा व्यवस्था का प्रश्न है जो कि अभी आप लेने जा रहे हैं। पहले तो अध्यक्ष महोदय, मैं आप को धन्यवाद देना चाहता हूं . . . (व्यवधान)

हां कभी कभी ऐसे मौके आते हैं कि धन्यवाद देना होता है। आप जरा सुन लीजिये। पहले तो मैं अध्यक्ष महोदय, आप को धन्यवाद इसलिए देना चाहता हूं कि एक नई प्रक्रिया यहां पर आप ने क़ायम की है जो कि बहुत अच्छी प्रक्रिया है। उस सम्बन्ध में मेरा व्यवस्था का प्रश्न है . . .

श्री रघुनाथ सिंह : प्रक्रिया में क्या व्यवस्था है ?

श्री मधु लिमये: कोई एक अच्छी प्रक्रिया हो गयी उस के लिए मैं ने अध्यक्ष महोदय को धन्यवाद दे दिया। अब उस सम्बन्ध में मैं उन से व्यवस्था मांगने जा रहा हूं।

श्री रघुनाथ सिंह : चूंकि एक अच्छी प्रक्रिया कायम कर दी इसलिए क्या आप उन से व्यवस्था मांग रहे हैं ?

Mr. Speaker: That was only a preface to further criticism.

श्री मधु लिमये: नहीं ऐसी बात नहीं है। मैं ने जो एक अच्छाई के बारे में कहा है वह बिना शर्त के है। वह अपनी जगह पर है।

अध्यक्ष महोदय : वह ख़त्म हो गई अब आप अपनी व्यवस्था कहिये।

Now he might say whatever he wants to.

श्री मधु लिमये : मैं यह निवेदन करना चाहता हूं कि मेरे प्रश्न के पांच हिस्से थे लेकिन इस में जो सूची छपी है उस में केवल मैं चार हिस्से ही देखता हूं। अब मैं आप का ध्यान नियम 43 की ओर खींचना चाहता हूं :

"The Speaker shall decide whether a question, or a part thereof, is or is not admissible under these rules and may disallow any question or a part thereof, when in his opinion it is an abuse of the right of questioning or is calculated to obstruct or prejudically affect the procedure of the House or is in contravention of these rules".

अध्यक्ष महोदय, मैं केवल आप से इस बात का खुलासा, या सफ़ाई कहिये, चाहता हूं कि मेरा एक जो हिस्सा इस में था, हिन्दुस्तान टाइम्स में बीजू पटनायक का पबलिक एकाउंट्स कमेटी की रपट पर भाष्य प्रकाशित

हुआ था मैं ने उसके बारे में पूछा था केवल जानकारी के लिए कि क्या पबलिक एकाउंट्स कमेटी के चेयरमैन का ध्यान उसकी ओर गया है ? उस भाष्य में तो बहुत भद्दी बातें हैं । पबलिक एकाउंट्स कमेटी का उन्होंने अपमान भी किया है लेकिन इन बातों को मैं छोड़ता हूं क्योंकि मेरा विशेषाधिकार का प्रश्न आप ने नामंजूर किया है । इसलिए मैं उस में नहीं जाना चाहता बाकी आप कृपया उस हिस्से को देख लीजिये । अगर आप की दृष्टि से यह जो नियम है इस में तीन, चार कारण बताये गये हैं किस का भंग हुआ है ? इस में से मेरा अपना ख्याल है कि एक भी नियम या शर्त के विपरीत मेरा प्रश्न नहीं जाता है, तो अगर आप राजी हों तो उस को भी इस में समाविष्ट कर लिया जाये ।

Mr. Speaker: That was not within the special knowledge of this Member from whom it could be asked. If it had appeared in the papers, the Member also has read it as everybody else. Then again, the fourth was, the Chairman's reaction to this report. This cannot be asked. I have isallowed it.

Shri Hari Vishnu Kamath: I would like to raise another point of order May I know why these two questions of my hon. friend Mr. Limaye and my hon. colleague Mr. Surendranath Dwivedy, addressed to Private Members under rule 40 should be printed on this paper, this dull, morbid ye'low paper and not on the bright green paper which is a very nice colour?

Mr. Speaker: Because those are the questions addressed to members. It is to distinguish them.

Shri Hari Vishnu Kamath: Better not the yellow colour. Yellow is in bad taste.

Shri Nambiar: It should be red.

श्री मधु लिमये: पढ़ूं मैं ? क्योंकि यह नई प्रक्रिया है इसलिए इसे पढ़ने की इजाजत दी जाये । नम्बर 1 . . .

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अध्यक्ष महोदय : पढ़ने की कोई जरूरत नहीं है ।

श्री मधु लिमये : शायद सब लोगों ने इसे देखा न हो ।

कई माननीय सदस्य : देख चुके हैं ।

श्री मधु लिमये : देख लिया सब लोगों ने तब तो ठीक है ।

Sixtieth Report of Public Accounts Committee (1966-67)

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1. Shri Madhu Limaye:
Shri Priya Gupta:

Will the **Chairman, Public Accounts Committee** be pleased to state:

(a) whether the Airways Company about which various references have been made in the Sixtieth Report of the Public Accounts Committee (1966-67) is the Kalinga Airways;

(b) whether the former Chief Minister of Orissa, Shri Biju Patnaik has been in any way connected with this Company;

(c) who was the Defence Minister referred to in para 3.15 of the Report and who opposed extension of the contract with Kalinga Airways; and

(d) who was the Cabinet Minister in-charge of Defence when the thinking of the Ministry of Defence underwent a 'radical change, for reasons not easy to understand'?

The Chairman, Public Accounts Committee (Shri R. R. Morarka): (a) Yes.

(b) The Committee have on information on this point.

(c) There is no reference to the Defence Minister in para 3.15 of the Report.

(d) It is not customary for the Committee to inquire about the names of individual Ministers or Officers, during their examination of Audit Reports and Appropriation Accounts.

श्री मधु लिमये : अध्यक्ष महोदय, मैं उपरन्न पूछना चाहता था . . .

अध्यक्ष महोदय : चूंकि यह एक नई प्रक्रिया है नया प्रोसीज्योर है इस वास्ते मैं इस को साफ़ कर देना चाहता हूं . . . .

श्री डांगी : नई को डरा और सुन्दर बना लें ।

अध्यक्ष महोदय : मेरे वश की बात नहीं है सुन्दर तो आप बनायेंगे ।

श्री डांगी : प्रश्न पूछने की इजाजत दे दें ।

अध्यक्ष महोदय : इस में मुझे मुश्किल होगा कि सप्लीमेंटरी क्वेश्चंस पूछने की इजाजत दे दूं और इस पर भी सप्लीमेंटरीज पूछने देने से यह एक अलहदा और क्वेश्चन औवर बनता चला जायेगा । बाक़ी अगर आप चाहें तो जो आप के मूल प्रश्न का उन्होंने जवाब दिया है आप उस पर अपना सवाल लिख कर दे दें और उन सवालों का जवाब लिख कर वे दे देंगे लेकिन यहां पर मैं उस पर सप्लीमेंटरीज नहीं होने दूंगा ।

श्री मधु लिमये : बहुत अच्छा ।

Shri Surendranath Dwivedy: But under rule 40. . . .

Mr. Speaker: Yes, I have seen it.

Shri Surendranath Dwivedy: . . . .it has been clearly stated. . . .

Mr. Speaker: The last words are also there.

Shri Surendranath Dwivedy: Of course, but it is your inherent right, whether it is mentioned here or not, in any case it is you who have to permit.

Mr. Speaker: It will be a wholesome thing that if something is left, we can get that answered separately through another question.

Shri Hari Vishnu Kamath: But then it is the fag end of the session.

Shri Tyagi: May I submit that sometimes, if the answers are not exactly relevant to the question or there is some such irregularity, it is the privilege of every member to raise the point and get the clarification, whatever be the question. This is the inherent right of all the members.

Mr. Speaker: Any other member can also put a question in writing, and I will get an answer, not that here I should open it to discussion.

Shri Ranga: You have introduced a welcome innovation, but then there are so many points arising out of this, and we have not had any opportunity of discussing it either privately or publicly with you under the rules.

Mr. Speaker: If they want, I can meet them.

Shri Ranga: So far as supplementaries are concerned, you say they should not be put, that also without our having any chance of discussing with you.

Secondly, it is good that you have introduced it, but then it would have been really good or better if you have enunciated or accepted the principle which has been accepted by all the other Speakers, for which we have been asking for your compliance in this House so many times, namely that the Chairman of all these three committees should be chosen from the Opposition, and not from the ruling party. Otherwise, what would happen is this. Now that you have introduced this thing, it would come to be this, that these Chairman also will be either prospective Ministers or dem-Ministers or half-Ministers or something like that, since today they happen to be all from the ruling party.

Shri Tyagi: Every Chairman from the Public Accounts Committee has become a Minister.

Shri Ranga: My hon. friend was one of my successors. Later on he came to be promoted as a Cabinet Minister, I do not want similar things to happen. In any case, the Chairman, for

very good reasons, in England as well as in the States where your own colleagues, the Speakers, have accepted the principle, is from the Opposition, and therefore we would like you to consider that also.

Several points also arise from it in regard to the notice to be given, how many days notice, etc., and they will have to be discussed separately on some other occasion.

Shri Tyagi: If these questions were treated as unstarred questions, that would have been better.... (*Interruptions*).

Shri H. N. Mukerjee: You were good eough to put this on the order paper and we made a special note of this matter and we came ready to listen to what the answers were going to be. The answers to questions put orally according to the usual expectation give rise to supplementaries, and the answer given by the hon. Chairman of the PAC has put in our minds certain new ideas which we wish to have clarified. You suggest that the Member concerned might write. But this is not a matter between this Member and another Member there.

Mr. Speaker: I have not said so; I have said he can give me notice.

Shri H. N. Mukerjee: Which means nothing will happen because we are at the fag end of the session.

श्री मधु लिमये : उनसे पूछिये कि क्या वह तैयार हैं या नहीं, सप्लीमेन्टरी के लिये।

Shri H. N. Mukerjee: How it is that the House is being intimated of certain facts in answer to certain questions....

Mr. Speaker: I can explain the reason; we can sit together and discuss it.

Shri H. N. Mukerjee: Once the House has got in possession of this subject, these questions which arise out of it have got to be put before the House before the House disperses.

Mr. Speaker: I cannot take another hour for these questions because the time that is to be taken is out of the Government's business time. I think the hon. Members also agree that it would not be possible. I have to consult the Government also.

Shrimati Renu Chakravartty: I want to congratulate you for having given this opportunity of a new procedure, Rule 40 says:

> "A question may be addressed to a private member provided the subject matter of the question relates to some Bill, resolution or other matters connected with the business of the House for which that member is responsible and the procedure in regard to such questions shall as far as may be, be the same as that followed in the case of questions addressed to a Minister with such variations as the Speaker may consider necessary."

I would plead with you that we on our part should naturally use it sparingly and in regard to important questions, but at the same time I would request you, having made that innovation, to allow us to follow the procedure as far as possible.

Mr. Speaker: I have told the Members that we can sit and discuss it.

Shri Nambiar: It is not for the Third Lok Sabha; the decision will be for the Fourth Lok Sabha.

Mr. Speaker: If that is what is needed, I will not take a decision.

Shri Bade: Under rule 40 you can make variations, but there is no bar that Government's time should not be taken. On the contrary, instead of asking questions again and again and going on *ad infinitom*, you can allot five or ten or fifteen minutes for putting supplementaries.

Shri Hari Vishnu Kamath: Under rule 40, the question can be addressed to any Member, any private Member other than the Chairman of the three committees.

Mr. Speaker: Only if that is within the special knowledge of some person who is in charge of that business before the House.

Shri Hari Vishnu Kamath: Private Members' Bills and Private Member's Resolutions are included in its scope.

Mr. Speaker: That is different. We can consider that.

Shri Radheial Vyas: I have to raise a point of order. Questions can be asked either of a Minister or a private Member. The Chairman of the EC or the PAC or the PUC or any other Committee cannot be treated as a Minister; he can be treated only as a private Member even in spite of the fact that he is the Chairman. Under the rules a question can be asked of a Minister or a Private Member. Rule 40 says that if a question is asked of a private Member, then it is limited in its scope. The rule specifically says that a question may be addressed to a private Member provided the subject-matter of the question relates to some Bill, resolution or other matter connected with the business of the House for which the Member is responsible. Now, the Public Accounts Committee's report is not the business of the House. The business of the House is only that business which is put on the agenda paper for the day. (*Interruption*). I, therefore, submit that the new procedure that is being introduced is fraught with danger. It will create so many complications and questions may be addressed to private Members whose number exceeds 500. Therefore, I request you to kindly consider this again and I submit that such a procedure should not be followed.

Mr. Speaker: I will consider that.

Shri Surendranath Dwivedy: Before I put my question, it seems you have been good enough not to permit any supplementary. I would like to have one clarification from you. The 60th report of the Public Accounts Committee is a very revealing document. Apart from what we have stated here, it has been stated that the particular company of which Shri Biju Patnaik is the owner, has taken about Rs. 32 lakhs; they almost cheated the Government, and the report has also stated.... (*Interruption*)

Mr. Speaker: Advantage should not be taken of this to say so many thing....

Shri Rama Chandra Mallick: The gentleman is not here to defend himself. (*Interruption*).

Shri Surendranath Dwivedy: I want a clarification from you, before I put the question. I do not know what he is shouting about.

Mr. Speaker: Order, order, Mr. Mallick.

Shri Surendranath Dwivedy: Crores of rupees, according to this report again, though the Government have.... (*Interruption*).... I am not quoting and I am not going into the details.

Mr. Speaker: We are not discussing the report as it is or any part of it.

Shri Surendranath Dwivedy: Bear with me for a few minutes, and I will finish.

Shri Rama Chandra Mallick: Shri Biju Patnaik is not present here to defend himself.

Mr. Speaker: Mr. Mallick, you should not stand up like this now.

Shri Surendranath Dwivedy: Secondly, as you know, on the floor of this House and outside, an allegation was made that supplies meant for NEFA have been sold in the Calcutta markets, about which there is a reference. I would only like to know from you whether, since you are not permitting any supplementaries, this question will remain unanswered or whether the Government are going to make a statement on these very revealing matters contained in the report before we adjourn or you will permit a short discussion of this report before the House adjourns.

Mr. Speaker: How can I say that now? Only when a request is made about that, it can be considered. I will see. Now, he can put his question.

Shri Rama Chandra Mallick: Sir, I rise on a point of order.

Mr. Speaker: Mr. Mallick, there is nothing to be said about it. I have stopped him.

Shri Rama Chandra Mallick: Shri Biju Patnaik is not present in this House; he is not a Member of this House nor of that Committee.

Mr. Speaker: Order, order. Reference is made to the report of the Public Accounts Committee that is published and circulated. How can he go on like this?

Shri Radhelal Vyas: Sir, there is no reply to my point of order.

Mr. Speaker: I have said I will consider it. What else can I say?

Shri Rama Chandra Mallick: Shri Biju Patnaik is not present to defend himself.

Mr. Speaker: Order, order.

Sixteen Report of Public Accounts Committee (1966-67)

2. **Shri Surendranath Dwivedy:** Will the **Chairman, Public Accounts Committe** be pleased to state:

(a) whether the Publit Accounts Committee examined witnesses on behalf of Kalinga Airways who had taken contracts from Government for supplies in N.E.F.A. and Nagaland areas;

(b) whether there is anything in the record to show that this contract was ultimately sanctioned after consultations with the Prime Minister, the Defence Minister and the Home Minister;

(c) whether any Audit Reports were submitted to Government before the expiry of the first contract and renewal for the second period pointing out gross irregularities and whether it has come to the notice of the Public Accounts Committee on record that this aspect of the question was never brought to the notice of the proper authorities either at the official level or at the Ministerial level before finally extending the contract for a second period; and

(d) whether Kalinga Airways at any time submitted any explanation for not paying the dues as pointed out by the Public Accounts Committee?

The Chairman Public Accounts Committee (Shri B. R. Morarka): (a) No. In accordance with well established convention, the Committee examine only official witnesses and do not summon private parties.

(b) In this connection attention is invited to para 4.4 of the 60th Report of P.A.C.

(c) The Committee have no information whether any Audit Reports were submitted to Government before the expiry of first contract and renewal of second contract.

If the reference is to the Report of the D.G.C.A. who was appointed to look into the alleged malpractices and irregularities indulged in by the Company, attention is drawn to paras 2·45 to 2·47 of the Sixtieth Report of P.A.C.

(d) No such explanation was submitted by Kalinga Airways to the P.A.C. However, in this connection, attention is invited to paras. 3.4 to 3.18 of the 60th Report of P.A.C. which deals with the excess payments made to the Company.

श्री मधु लिमये : अध्यक्ष महोदय, एक बात है . . .

अध्यक्ष महोदय : अब जडम हो गया है ।

श्री मधु लिमये : स्पष्टीकरण तो कुछ हुआ नहीं है । किसी का नाम तो आया नहीं है ।

अध्यक्ष महोदय : आप मुझे लिख कर दे दें ।

श्री मधु लिमये : कोन सुरक्षा मंत्री था, कुछ नहीं आया है ।

Shri Hem Barua: On a point of order, Sir. The Chairman of the PAC has said in reply to part (c) that no audit report about Kalinga Airways was submitted to Government. May I draw your attention to the discussion in this House raised by me where pointed reference was made to the audit report submitted by the Auditor regarding the affairs of the Kalinga Airways; This was pinpointed here and this very same thing has been brought out in the committee's report that Kalinga Airways was responsible for dropping only one-third of the supplies in NEFA and selling the rest in blackmarket.

Mr. Speaker: His point is that the information supplied is not correct?

Shri Hem Barua: That is my point.

Mr. Speaker: I will ask the Chairman to look into it.

श्री मौर्य : अध्यक्ष महोदय, मेरा एक व्यवस्था का प्रश्न है ।

अध्यक्ष महोदय : अब आप मुझे चलने दीजिये । इस में व्यवस्था और क्या आ गई ? बात खत्म हो गई है ।

श्री मौर्य : आप सुन तो लें ।

अध्यक्ष महोदय : सुनाइये ।

Shri M. R. Krishna: When the Congress Members are not allowed to raise points of order, why should the opposition be allowed to do so?

Shri Bhagwat Jha Azad: Under similar circumstances, when Mr. Mallick wanted to raise a point of order, without hearing him you said "No point of order". Now how are you allowing a point of order to be raised?

Mr. Speaker: Mr. Mallick said that no reference can be made to Mr. Biju Patnaik because he is not here to defend himself. He said it.

Shri Bhagwat Jha Azad: No, Sir; he only said "I want to raise a point of order" but you did not allow him. Under similar circumstances, you have allowed Mr. Hem Barua and Mr. Maurya to raise points of orders. The treatment should be fair and equal to all.

Shri Joachim Alva: Opposition gets plenty of chances, but we do not get any chance at all.

Shri Hem Barua: You are right, Sir; Mr. Mallick did say that Mr. Biju Patnaik is not here.

श्री मौर्य : मैं इस विषय में पड़ना नहीं चाहता था । लेकिन मैं कहना चाहता हूं कि पब्लिक एकाउंट्स कमेटी के चेयरमैन साहब ने जो रिपोर्ट रखी है, सौभाग्य से मैं भी उस कमेटी का एक सदस्य हूं । जो उन्होंने उत्तर दिया है, मैं यह तो नहीं कह सकता हूं कि वह असत्य उत्तर है । यह उत्तर सत्य है । लेकिन वह उत्तर इस प्रकार का है कि उससे कोई भी किसी भी तरफ का विचार खींच सकता है । उस उत्तर में एम्बिगुइटी है । उस में से दोनों तरह के विचार निकलते हैं ।

अध्यक्ष महोदय : आप अपना प्वाईंट आफ आर्डर कहिये ।

श्री मौर्य : अभी बताता हूं । चूंकि मैं उस कमेटी का एक सदस्य हूं इसलिए मुझे बहुत सी जानकारी है ।

अध्यक्ष महोदय : तब मैं आप को राय दूंगा कि अगर अन्दर कमेटी में कुछ बातें होती हैं तो उनको यहां न रखें ।

श्री मौर्य : वह नहीं कहूंगा । मैं जानता हूं इस बात को । अन्दरखाने कमेटी के जो बहुत सी बातें होती हैं उनको मैं कहने नहीं

जा रहा हूं । मैं यह कह रहा हूं कि जो उत्तर चेयरमैन साहब की तरफ आया है वह उत्तर अपनी जगह सत्य है लेकिन उस में एम्बिगुइटी इतनी अधिक है कि उससे दोनों ही अर्थ निकाले जा सकते हैं । जब आप ने प्रश्न पूछने दिया है तो आप सप्लीमेंटरी भी पूछने दीजिये । नहीं तो उसका रूप गलत भी निकल सकता है । मैं यह चाहता हूं कि उस में से सत्य निकले, असत्य उस में से कोई न निकाल पाये । बहुत सी चीजें हैं जिन को मैं स्वयं जानता हूं . .

अध्यक्ष महोदय : कोई प्वाइंट आफ आर्डर नहीं है ।

आजाद साहब ने जो कहा है उस में मुझे कोई एतराज नहीं है । अपोजीशन के मेम्बर तो यह चाहते हैं कि रुकावट डालें, प्वाइंट्स आफ आर्डर भी ऐसे उठायें कि वक्त जाया हो । अगर गवर्नमेंट के आदमी भी यही चाहते हैं तो वे भी ऐसा कर सकते हैं ।

श्री मधु लिमये : रुकावट का सवाल नहीं है । रुकावट तो ये लोग डाल रहे हैं । कांग्रेस वाले डाल रहे हैं ।

श्री मौर्य : मैं आप की आज्ञा का पालन कर रहा हूं और आप की आज्ञा से ही बोला हूं ।

श्री बागडी : विरोधियों के बारे में जो आप ने कहा है, जो वाक्य कहा है इससे गलतफहमी फैलेगी । अगर यही बात आप के बारे में कोई कहे तो आप फौरन निकाल देते हैं । हमारे साथ इस तरीके से व्यवहार नहीं किया जाना चाहिये । समय ये टालना चाहते हैं क्योंकि इन के पास जवाब नहीं है । यह आरोप इन पर आप लगायें । हम पर इस आरोप को लगाना गलत है । . . .

अध्यक्ष महोदय : अब आप बैठ जायें ।

WRITTEN ANSWERS TO QUESTIONS

Pak. Plot to spread Linguistic Hatred

***574. Shri Madhu Limaye:**
Shri Kishen Pattnayak:
Dr. Ram Manohar Lohia:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have received any information about the Pakistani plot to fan linguistic hatred between the Bengali-speaking people; and between the Assamese and tribal people of Hill districts through Pakistani nationals operating in India under disguise and Indian nationals recruited as agents by Pakistan;

(b) if so, the nature of the plot and its *modus-operandi;* and

(c) the counter-action taken by Government to foil the attempts of disrupting the integrity of India's Eastern Region?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) to (c). There is no confirmed information of Pakistanis disguised as Indian nationals and of Indians recruited as agents by Pakistan trying to fan linguistic hatred between the Bengalis and non-Bengalis and between the Assamese and the tribal people of Hill districts of Assam. We, however, know that Pakistan has helped and is helping the tribals of Assam against the Government and there are also reports of attempts to utilise linguistic differences in bringing about disruption.

Anti-national elements are kept under close watch and any attempts to disrupt the integrity of the country will be dealt with effectively.

Code of Discipline for Workers

***579. Shri S. M. Banerjee:** Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether it is a fact that the Code of Discipline for workers has not been introduced in any public sector undertakings including the P & T, Railways and Defence;

(b) if so, the reasons therefor; and

(c) the steps taken by Government in the matter?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) and (b). The Code of Discipline is not yet applicable to Railways and Defence Undertakings. But other public sector undertakings working as companies and corporations are covered by it. In the P & T, the Code is applicable to workshops and store depots to which the Industrial Disputes Act applies. In the case of Defence, there has been some progress in introducing the Code in the public sector undertakings under its control. In the case of Railways, there is disagreement over the modifications proposed by the Railway Ministry in the Code of Discipline as adopted by the Indian Labour Conference.

(c) The matter has been taken up with the Ministries concerned.

Grievances of Muslims

***580. Shri P. R. Chakraverti:**
Shri H. C. Linga Reddy:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the attention of Government has been drawn to the statement of Dr. A. I. Faridi, President, U.P. Majlis-e-Mushawarat on the 23rd September, in Lucknow regarding the enquiry into Muslims' grievances;

(b) whether it is a fact that scores of memoranda had been submitted to the Central Government on the subject;

(c) if so, the steps taken to remedy the grievances of the largest minority community in the country; and

(d) whether the Central Government deputed a Muslim Minister to inquire into the grievances of Muslims in Malabar, in U.P. and other places?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) The Government have seen the statement of Dr. Faridi.

(b) Some representations regarding the grievances of Muslims have been received.

(c) and (d). In all cases the particular representations received are forwarded for appropriate consideration to the concerned Union Ministries, State Government or other authorities. At the Prime Minister's request the present Union Minister for Education held discussion with the Governments of Uttar Pradesh and Bihar and the Executive Councillors of Delhi on matters like status of Urdu language and Aligarh University affairs. He also visited Kerala some time back and some representatives of Muslim of State placed before him a memorandum containing some grievances of the community.

American Investment in Fertilisers

***581. Shri P. C. Borooah:**
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri M. L. Dwivedi:
Shri D. C. Sharma:
Shri D. D. Puri:
Shri Daji:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether Government's attention has been drawn to the report in the "Hindustan Times" of the 26th September, 1966 captioned "U.S. firms hesitant to invest before polls" stating that uncertainty about political developments in India had caused a perceptible showdown in American private investment, particularly in the key area of fertilizers; and

(b) if so, how far Government's information and assessment of the foreign investment climate agree with their reports?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes, sir.

(b) Proposals for foreign investment in the field of fertilizers are being received. Government have no information that foreign investment has slowed down because of any political developments.

U.S. Collaboration for Madras Fertiliser Project

*582. **Shri D. C. Sharma:**
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri M. L. Dwivedi:
Shri Indrajit Gupta:
Shri Maheswar Naik:
Shrimati Maimoona Sultan:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether the American International Oil Company, which had entered into a Collaboration agreement with the Government of India for the proposed Madras Fertilizer Project has asked for more time to finalise loan arrangements;

(b) whether it is a fact that the terms of the agreement explicitly provided that the agreement would be deemed void unless arrangements for the dollar loan were finalised by the 15th September, 1966; and

(c) if so, the circumstances under which the time limit has been extended?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). The date for executing the loan agreement has been extended by mutual consent upto 20th December, 1966.

(c) The time limit had to be extended because the terms and conditions of the loan could not be finalised earlier.

दवाइयों का आयात

*583. **श्री विश्राम प्रसाद :** क्या **पेट्रोलियम और रसायन** मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1965–66 में विदेशों से कितने मूल्य की दवाइयों का आयात किया गया और औषध उद्योग में विदेशी सहयोग-कर्ताओं को रायल्टी देने के रूप में कितनी विदेशी मुद्रा खर्च हुई;

(ख) क्या देशी दवाइयां आयातित दवाइयों के स्थान पर प्रयोग में लाने के लिये ठीक समझी जा सकती हैं; और

(ग) यदि हां, तो क्या सरकार का विचार दवाइयों का आयात बन्द करने का है ?

पेट्रोलियम और रसायन मंत्री (श्री अलगेशन) : (क) वर्ष 1965–66 में आयातित दवाइयों का मूल्य 860 लाख रुपये था । 1965–66 में औषध उद्योग में विदेशी सहयोग-कर्ताओं को रायल्टी के रूप में दी गई विदेशी मुद्रा की मात्रा उपलब्ध नहीं है ।

(ख) देश में तैयार की गई दवाइयों के गुण अधिनियमित रूप से नियंत्रित हैं और अन्य देशों में उत्पादित दवाइयों से तुलना की जा सकती है । दवाइयों और उन दवाइयों को तैयार करने के लिए आयातित कच्चा माल मुख्यतया वह है जो अपने देश में पर्याप्त मात्रा में उत्पादित नहीं होता है, अतः उनके स्थानापन्न का तब तक प्रश्न नहीं उठता जब तक वे अपने देश में तैयार नहीं किये जाते ।

(ग) भेषज और दवाइयों की आयातित नीति का लगातार पुनरीक्षण किया जाता है और जब कभी कोई दवाई पर्याप्त मात्रा में अपने देश में तैयार होने लगती है, उसका आयात प्रतिबन्धित/बन्द किया जाता है ।

कलकत्ता गोदी श्रमिकों की हड़ताल

*583-क. श्री बड़े :
श्री हुकम चन्द कछवाय :
श्री ओंकार लाल बेरवा :
श्री सुरेन्द्रपाल सिंह :
श्री प० ह० भील :
श्री कपूर सिंह :

क्या श्रम, रोजगार तथा पुनर्वास मंत्री यह बताने की कृपा करेंग कि :

(क) क्या यह सच है कि कलकत्ता बन्दरगाह के छः हजार गोदी श्रमिकों ने सितम्बर, 1966 में हड़ताल की थी;

(ख) यदि हां, तो उसके क्या कारण थे; और

(ग) इससे कुल कितनी हानि हुई ?

श्रम, रोजगार तथा पुनर्वास मंत्री (श्री जगजीवन राम) : (क) जी हां ।

(ख) हड़ताल का उद्देश्य कलकत्ता दी श्रमिकों की उन मांगों पर जोर डालना था, जिन पर कलकत्ता डाक वर्कर्स यूनियन ने पहले हड़ताल का नोटिस दिया था ।

(ग) आर्थिक रूप में हानि के सम्बन्ध में सूचना उपलब्ध नहीं है । परन्तु हड़ताल के परिणामस्वरूप 45,369 श्रमदिनों की हानि हुई थी ।

Unemployed Engineering Graduates

*584. **Shri Sham Lal Saraf:** Will the Minister of **Education** be pleased to state:

(a) whether Government are aware that in some parts of the country, the engineering graduates, remain unemployed, while in some other parts, the position is otherwise;

(b) whether the admission of the number of students to the Engineering Colleges is regulated and planned keeping in view the actual requirements in implementing the Plan Projects, both Central as well as State; and

(c) if so, the details thereof?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) While there is no evidence to prove conclusively that there is any overall surplus of enginering personnel at present, there may be some cases of marginal unemployment, in cartain parts of the country, and the indications are that these are mostly in the nature of frictional unemployment due to lack of mobility of personnel etc.

(b) and (c). The facilities for technical education at the degree and diploma level in enginnering and technology are expanded in the Five Year Plans as a part of manpower planning for the subsequent plans and the targets are related to the estimates of requirements of technical personnel during the subsequent 10-15 years.

Gujarat Refinery

*585. **Shrimati Maimoona Sultan:** Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether the Gujarat Refinery has been commissioned;

(b) if so, the cost at which it has been completed;

(c) whether it is working upto capacity; and

(d) if so, the extent of refined products produced by it so far?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes, Sir.

(b) Rs. 30.22 crores.

(c) Against a designed capacity of 2 million tonnes, it is working at a capacity of 1.5 million tonnes per annum at present.

(d) 1,051,061 tonnes of products were produced from October 1965 (refinery's commissioning date) till the end of October 1966.

खासी और जन्तिया पहाड़ियों में विद्रोह

*586. **श्री उटिया :**
श्री फिशन पटनायक :
श्री मधु लिमये :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मिजो विद्रोह की तरह खासी और जैन्तिया पहाड़ियों में विद्रोह की तैयारियों के बारे में सरकार को कोई सुराग मिला है; और

(ख) यदि हां, तो क्या उसे रोकने के लिए सरकार ने कोई कार्यवाही की है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : आसाम सरकार से प्राप्त सूचना के अनुसार मिजो विद्रोह की तरह खासी और जैन्तिया पहाड़ियों में विद्रोह की तैयारियों की कोई सूचना नहीं है। फिर भी सरकार स्थिति पर कड़ी निगरानी रख रही है।

(ख) प्रश्न ही नहीं उठता।

केन्द्रीय सरकार के मंत्रियों तथा अधिकारियों के टेलीफोन बिलों की बकाया राशि

*587. **श्री किशन पटनायक :**
श्री मधु लिमये :

क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय सरकार के मंत्रियों तथा अधिकारियों की ओर टेलीफोन बिलों की दो करोड़ रुपये की राशि बकाया है; और

(ख) यदि हां, तो इस राशि को वसूल करने के लिए अब तक क्या कार्यवाही की गई है ?

संसद्-कार्य विभाग तथा संचार विभाग में राज्य-मंत्री (श्री जगन्नाथ राव): (क) सभी सरकारी उपभोक्ताओं पर (राज्य सरकार तथा रक्षा विभाग सहित) 1 जून, 1966 को 30 नवम्बर, 1965 तक जारी किये गये बिलों की 230 लाख रुपये की रकम बकाया थी। केन्द्रीय मंत्रियों तथा अधिकारियों पर टेलीफोन बिलों की बकाया रकम के सम्बन्ध में फिलहाल अलग से सूचना उपलब्ध नहीं है।

(ख) बकाया रकम की शीघ्र अदायगी कराने के लिए बार-बार स्मरण-पत्र भेजने, व्यक्तिगतसम्पर्क स्थापित करने तथा टेलीफ़ोन काट देने जैसे विशेष कदम उठाये जा रहे है।

Supply of Gas by the O.& N.G.C. to the Gujarat State

*588. **Shri Hari Vishnu Kamath:**
Shri Jashvant Mehta:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether Government appointed a Member of the Planning Commission to arbitrate in the dispute regarding the price to be paid by the industries in Gujarat State to the Oil and Natural Gas Commission for the supply of gas;

(b) if so, when;

(c) whether the arbitrator has submitted his report and given his award;

(d) if so, the broad details thereof; and

(e) if not, the reasons therefor?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes, Sir.

(b) On 26th February, 1964.

(c) No, Sir.

(d) Does not arise.

(e) The proceedings are still in progress.

भारत और पाकिस्तान के बीच टेलीफोन और टेलीग्राफ सम्पर्क

*589. श्री शिंकरे :
श्री हुकम चन्द कछवाय :
श्री बड़े :
श्री ओंकार लाल बेरवा :

क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत और पाकिस्तान के बीच टेलीफोन और टेलीग्राफ सम्पर्क समाप्त कर दिया गया है ;

(ख) यदि हां, तो इसके क्या कारण है ; और

(ग) इस सम्बन्ध में सरकार ने क्या कार्यवाही की है ?

संसद्-कार्य विभाग तथा संचार विभाग में राज्य-मंत्री (श्री जगन्नाथ राव) : (क) जी नहीं।

(ख) तथा (ग). प्रश्न ही नहीं उठते।

Oil Exploration in Cauvery Delta

*590. **Shri Muthiah:** Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) the latest stage in the Oil exploration in the Cauvery Delta in Madras State;

(b) the number of wells drilled and the places where such drillings took place;

(c) whether oil was struck in these drillings;

(d) if so, the estimated deposits of oil in the said area; and

(e) whether any foreign collaboration exists or is proposed?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Drilling is in progress in the Karaikal region. Further seismic survey is also in progress.

(b) Three deep wells and three structural wells have been drilled so far in this region.

(c) Minor traces of oil were met with in one well.

(d) It is premature to make any assessment and further investigations are still in progress.

(e) No, Sir.

Gujarat Refinery

*591. **Shri Firodia:** Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that the Gujarat Refinery has not been able to get into pace because of the non-disposal of residual oil;

(b) if so, the quantum and value of oil to be disposed of; and

(c) the effort made to find out buyers?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes, Sir.

(b) At the rate of 2 million tonnes/year throughput, the availability of residual oil for disposal is estimated at 110,000 tonnes valued at over Rs. 91 lakhs a year.

(c) The Corporation has been successful in negotiating with Tata Thermal Power Station, Bombay for supply @300 tonnes/day of residual oil.

Tenure of Deputation to Secretariat

*592. **Shri Mahavir Tyagi:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether periods of tenure have been prescribed in respect of officers of the All-India Services and Central Services borrowed on deputation for senior posts in the Secretariat;

(b) whether such periods of tenure are being uniformly applied and enforced for Deputy/Joint/Additional Secretaries and Secretaries; and

(c) if not, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) Yes Sir.

(b) and (c). Yes, to the extent possible; the rules governing the subject themselves contemplate extension or curtailment of the normal periods of tenure with the concurrence of the lending authority where the public interest so demands.

Temporary Central Government Employees

*593. **Dr. Ranen Sen:** Will the Minister of **Home Affairs** be pleased to state:

(a) the number of Central Government Employees who have served for more than 10 years, 15 years and 20 years continuously and who have still not been declared permanent;

(b) the reasons for their not being declared permanent so far; and

(c) whether there is any proposal to consider the problem of these employees?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) and (b) The information is being collected and will be laid on the Table of the House as soon as it is ready.

(c) There is no such proposal under the consideration of the Government at present.

Embezzlement at Boileauganj P.O. Agra

*594. **Dr. M. M. Das:** Will the Minister of **Communications** be pleased to refer to the reply given to Unstarred Question No. 1223 on the 3rd August, 1966 and state:

(a) whether a number of depositors whose money totalling over Rs. 30,000 had been embezzled by the Post Master, Boileauganj Post Office, Agra, appealed to Government for the repayment of their savings in anticipation of the departmental proceedings against the concerned Post Master; and

(b) if so, the action taken to mitigate their hardship and to repay the deposits in trust with Government?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) Yes, Sir.

(b) The claims of the defrauded depositors could not be settled so far as the S.P.E., who are investigating into this case, have advised against the settlement of the claims at this stage.

Barauni-Haldia Pipeline

*595. **Dr. L. M. Singhvi:** Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that an avoidable additional expenditure of considerably more than Rupees one crore will now have to be incurred on re-laying a part of the Barauni-Haldia product pipeline;

(b) whether it is also a fact that this lapse occurred because mining conditions in India were not taken into consideration; and

(c) whether Government have been able to fix responsibility in the matter?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Expenditure involved in relaying a part of the Haldia-Barauni pipeline is still under examination.

(b) The mining conditions in India were taken into account but operative restrictions on pipeline and coal recovery necessitated realignment of the line.

(c) Does not arise.

Ban on employment of Government servants in private services

*596. **Shri Madhu Limaye:**
Shri Kishen Pattnayak:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether instances have come to the notice of Government where

some Government employees took up jobs in private firms and entered into collusion with dishonest businessmen;

(b) if so, whether Government intend to undertake legislation/constitutional amendment to stop this collusion between certain dishonest businessmen and corrupt administrators/officers, by putting a ban on the Government servants taking jobs in private firms when there are charges of misdemeanour pending against them; and

(c) if not, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) to (c). Some ex-Government servants may have secured employment in private firms, but no specific instances, where they entered into collusion with dishonest businessmen, have come to the notice of Government.

2. Government servants who have secured employment in private firms might have left Government service on account of retirement, retrenchment, removal/dismissal or resignation. So far as private employment of retired Government servants is concerned, a copy of the instructions issued on the subject has already been placed on the Table of the House in reply to Unstarred Question No. 214 on February 16, 1966. As regards private employment of dismissed or removed Government servants, there cannot be any absolute bar which would amount to restriction on a citizen to take up any lawful employment in exercise of his fundamental right to practice any profession or carry on any trade or business. This position has already been explained in reply to Unstarred Question No. 2511 on August 17, 1966. What has been stated in regard to dismissed or removed Government servants equally applies to Government servants who have been retrenched or who have resigned from Government service.

3. The question of Government servants taking up jobs in private firms, while they are in service and charges of misdemeanour are pending against them, hardly arises, because instructions have already been issued prohibiting negotiations for private commercial employment while in service, except with the sanction of the competent authority; such sanction will be given only if there are any special reasons for doing so. Sanction would not be given when charges of misdemeanour are pending if a Government servant, against whom charges of misdemeanour are pending, submits his resignation, such a resignation will not normally be accepted. But if as a result of departmental proceedings, a Government servant is dismissed or removed from service, his private employment after such removal/dismissal cannot be restricted, as explained in para 2 above.

Electronic Telephone Exchange

*598. **Shri S. C. Samanta:**
Shri M. L. Dwivedi:
Shri Subodh Hansda:
Shri Bhagwat Jha Azad:
Shri P. C. Borooah:
Dr. M. M. Das:

Will the Minister of **Communications** be pleased to state:

(a) whether the Electronic Telephone Exchange designed by the Indian technicians at the Telecommunication Research Centre and meant to replace the present electro-mechanical exchanges in the next five years, has been tested for operational success;

(b) the advantage of the new device as compared to the present ones and the comparative cost thereof; and

(c) whether it is proposed to set up a factory for taking up commercial production of the electronic exchange?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) No. The Electronic Telephone Exchange is still under development.

(b) The advantages of the Electronic Telephone exchanges are:

(i) They provide new and better facilities which are not economically feasible with the present Electro Mechanical exchanges. Some of these facilities are abbreviated dialling, call forwarding, conference facilities etc. The abbreviated dialling facility enables the subscriber to dial only a few digits, i.e., two or three digits for calling parties frequently required. The call forwarding facility enables temporary transfer of all incoming calls to subscriber to a new number as desired by the subscriber. The conference facility will enable the subscriber to confer with selected parties.

(ii) They are somewhat more reliable and may require reduced maintenance in the exchange equipment because there is no wear of components and because there is no need for any mechanical adjustments, as required in the present day exchanges.

(iii) They require less accommodation for installation.

(iv) It is not possible to state the comparative cost, at this stage, as the electronic exchange is still under development.

(c) There is no proposal at this stage to set up a separate factory for the manufacture of these exchanges. It is expected that these can be made by the Indian Telephone Industries when the designs are ready and proven in the usual way.

Employment Situation in the Country

*599. **Shri D. C. Sharma:** Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether any stock has been taken of the deteriorating employment situation in the country; and

(b) if so, the steps proposed to be taken to solve this problem on a war footing?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) Yes. The employment situation is constantly being reviewed and some basic facts about the situation, as at the beginning of the Fourth Plan, have been stated in Chapter VI of the draft outline of the Fourth Five Year Plan.

(b) The problem has been and is proposed to be tackled by (i) creation of employment opportunities through the various development programmes under the Plan, (ii) increasing the employability of workseekers by imparting training and retraining in occupations which are in short supply.

Adivasis in the Scheduled Areas of Bastar

*599-A. **Shri Hari Vishnu Kamath:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that in the Scheduled area of Bastar District, Madhya Pradesh, massive discontent and unrest have been caused by the official celebration of Dussehra in the teeth of opposition by local Adivasis who were still mourning the death of the former ruler of Bastar, Shri Praveen Chandra Bhanj Deo, and other victims of police firing in March, 1966;

(b) if so, the present position; and

(c) in what manner the Central Government propose to intervene in order to discharge their responsibility for the welfare of Scheduled Tribes as well as for the peace and progress of Scheduled area?

The Minister of Home Affairs (Shri Y. B. Chavan): (a) and (b). Information has been called for from the State Government.

(c) This will be considered on receipt of report from the State Government.

Future Set-up of NEFA

*2606. **Shri P. C. Barooah:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether high-level talks were recently held about the future set-up of NEFA;

(b) if so, the broad outlines of the contemplated set-up of NEFA; and

(c) the decision, if any, taken at the last high-level talks?

The Minister of Home Affairs (Shri Y. B. Chavan): (a) No, Sir.

(b) and (c). Do not arise.

Symposium on Jawaharlal Nehru

2607. **Shri Utiya:**
Shri Madhu Limaye:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Government spent a lot of money on Nehru Symposium in Delhi;

(b) if so, how much;

(c) whether the participants took part in their individual or official capacity; and

(d) whether they all agreed to make unanimous recommendation to U.N. bodies?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) No, Sir. The expenditure was not more than commensurate with the purpose and the international character of the Round Table.

(b) As all bills have not been received the exact expenditure cannot be indicated, but it is likely to be less than the allotment of Rs. 55,000/- sanctioned for the purpose.

(c) The participants in the Round Table took part in their individual capacity.

(d) There was a general consensus of opinion regarding the recommendations to be made to UNESCO.

Bagalkot Cement Co., Bijapur

2608. **Shri Utiya:**
Shri Madhu Limaye:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the investigations into certain charges have been made against the Managing Director/other Directors of the Bagalkot Cement Company Ltd., Bijapur by the Central Bureau of Investigation; and

(b) if so, the results thereof?

The Minister of Home Affairs (Shri Y. B. Chavan): (a) No, Sir.

(b) Does not arise.

Proscription of Maps and Atlases

2609. **Shri Ram Harkh Yadav:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have proscribed some of the maps and atlases published by Private Agencies in India as reported in *Hindustan Times* dated 30th October, 1966;

(b) if so, the details thereof; and

(c) the reasons for their proscription?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Yes, Sir.

(b) and (c). A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-7459/66].

Publication of Maps and Atlases

2610. **Shri Ram Harkh Yadav:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have allowed some foreign publications containing maps and atlases of India to be imported after blacking out such maps and other portions thereof, as are prejudicial to India's territorial integrity; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Yes, Sir.

(b) Ministry of Finance (Department of Revenue) Notification No. 158 dated the 26th November, 1959 issued under the Sea Customs Act, 1878, prohibits the import of any book, periodical, pamphlet, leaflet or other document containing any words, signs or visible representations which directly or indirectly question the frontiers of India. However, in order to save the educational and other institutions and scholars from scarcity of standard atlases and other publications of real worth, the Government have been releasing useful books and atlases etc. after blacking out the objectionable portions. Books and publications which contain serious and numerous mistakes incapable of being corrected without marring the usefulness of the publications are, however, not allowed to be imported into India. So far, 188 such books and publications have been allowed to be imported after blacking out their objectionable contents.

Supply of Information to Members by State Governments

2611. **Shri V. V. Thevar:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government had issued instructions to the State Governments to furnish factual information to Members of Parliament when asked for:

(b) if so, whether Government are aware that the Government of Madras is not following these instructions; and

(c) if so, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) No such instructions have been issued by the Government of India to State Governments.

(b) and (c). Do not arise.

National Laboratory in Bastar

2612. **Shri Lakhmu Bhawani:** Will the Minister of **Education** be pleased to state:

(a) whether there is any proposal to establish a National Laboratory under the C.S.I.R. in Bastar District of M.P. in the near future; and

(b) if so, the salient features thereof?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) No, Sir.

(b) Does not arise.

प्रादेशिक सैटलमेंट कमिश्नर, बम्बई के कार्यालय में घोटाला

2613. श्री मं० रं० कृष्ण :
श्री मधु लिमये :

क्या श्रम, रोजगार तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उल्हासनगर में जमीनी दावे किये गये और प्रादेशिक सैटलमेंट कमिश्नर, बम्बई के कार्यालय ने उन दावों पर कई लाख रुपये का भुगतान किया था ;

(ख) क्या यह भी सच है कि प्रादेशिक सैटलमेंट कमिश्नर बम्बई के कार्यालय के केवल दो जूनियर क्लर्कों को मुअत्तिल किया गया है, यद्यपि मुख्य अपराधी ने कुछ वरिष्ठ अधिकारियों के नाम भी बताये थे ; और

(ग) यदि हां, तो इस मामले में और क्या कार्यवाही करने का प्रस्ताव है ?

श्रम, रोजगार तथा पुनर्वास मंत्रालय में उपमंत्री (श्री दा० रा० चव्हाण): (क) जी, हां। प्रादेशिक बन्दोबस्त आयुक्त कार्यालय बम्बई में आन साजी के 16 दावों का पता चला है, जिनकी समग्र अन राशि 1.09 लाख रुपये है।

(ख) और (ग). यह सब मामले छान-बीन के लिये विशेष पुलिस विभाग को दिये गये हैं। दो जूनियर अधिकारियों के विरुद्ध प्रारंभिक विभागीय छान-बीन में प्रत्यक्ष रूप में दावा स्थापित हो गया था इसलिये वे मुअत्तिल कर दिये गये हैं किन्तु वरिष्ठ अधिकारियों के विरुद्ध कोई दावा स्थापित नहीं हुआ था। अधिकारियों के विरुद्ध आगे कार्यवाही चाहे वे जूनियर हों या वरिष्ठ हों, तब ही की जायेगी जबकि पुलिस छान-बीन द्वारा उनके विरुद्ध प्रत्यक्ष रूप में दावे स्थापित हो जाते हैं। विशेष पुलिस विभाग की रिपोर्ट की प्रतीक्षा है।

Extension for Government Employees

2614. Shri M. R. Krishna:
Shri Madhu Limaye:

Will the Minister of **Home Affairs** be pleased to state the number of clerks and officers serving in the various Ministries and Subordinate Offices of the Central Government who have been given extension beyond 58 years of age during the last two years?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): The information is being collected and will be laid on the Table of the House as soon as possible.

Incentives for passing Hindi Examinations

2615. Shri Sham Lal Saraf: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that, as an incentive, all non-gazetted Central Government employees whose mother tongue is other than Hindi, are granted an advance increment on passing Hindi *Pragya* Examination under the Hindi Teaching Scheme;

(b) if so, whether the employees belonging to the parts of the country which now form parts of West Pakistan, whose mother tongue is not Hindi and who have not passed any examination in Hindi earlier, are also eligible for the grant of this advance increment on passing the said examination; and

(c) if not, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Yes, Sir.

(b) Yes, Sir.

(c) Does not arise.

Indian Wrestlers Team

2616. Shri Ram Harkh Yadav: Will the Minister of **Education** be pleased to state:

(a) whether the Wrestling Federation of India has selected wrestlers for composing the Indian team to compete at the forthcoming Asian Championship;

(b) if so, the details thereof; and

(c) whether any coaching camp has been set up for their training?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) and (b). The Wrestling Federation of India was to select its team of wrestlers for participation in the forthcoming Asian Games on the basis of selection trials held at Varanasi from 25th to 27th November, 1966. A report from the Federation, containing details of the selections made is awaited.

(c) The coaching camp for the selection of the Indian wrestlers commenced at Varanasi on the 20th October, 1966.

इलाहाबाद उच्च न्यायालय में अनिर्णीत मामले

2617. **श्री रणंजय सिंह** : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि सुल्तानपुर जिले से सम्बन्धित कितनी लेख याचिकायें तीन वर्षों से अधिक समय से इलाहाबाद उच्च न्यायालय में अनिर्णीत पड़ी है तथा उसका ब्यौरा क्या है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल): सूचना एकत्रित की जा रही है और सदन के सभा पटल पर रख दी जायेगी।

Post Offices in Birbhum Division

2618. Dr. Saradish Roy: Will the Minister of **Communications** be pleased to state:

(a) whether Post Offices have been opened in all the villages having population of more than 2,000 in Birbhum Division (West Bengal);

(b) if not, the names of such villages; and

(c) the reasons for not opening the Post Offices?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) No, Sir.

(b)

1. Kanutia. 2. Mehagram.
3. Tentulia. 4. Ambhua.
5. Bhitora. 6. Makhlispur.
7. Dantura. 8. Dumargram.
9. Bhadiswar.

(c) Due to the departmental standards regarding the distance criteria not being satisfied.

Post Offices in Birbhum Division

2619. Dr. Saradish Roy: Will the Minister of **Communications** be pleased to state:

(a) the names of Post Offices opened in Birbhum Division (West Bengal) but subsequently closed during the last five years; and

(b) the reasons for closing the same?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) and (b). Sougram Extra Departmental Branch Post Office was open on Non-Returnable contribution basis and had to be closed down due to non-payment of NRC by the interested parties. Also Baliharpur Extra Departmental Branch Office had to be closed down in January 1966 after completion of ten years on account of non-payment of NRC by any interested party. However, the office was reopened in August 1966 on receipt of Non-returnable Contribution.

Reservations for Scheduled Castes and Scheduled Tribes

2620. Shri Siddiah: Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 2400 on the 17th August, 1966 and state:

(a) the names of the Statutory Bodies, Semi-Government institutions and Public Sector Undertakings under the Central Government, which have not made reservation for Scheduled Castes and Tribes in various categories of Services under them; and

(b) the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) List enclosed with the reply given to Unstarred Question No. 2400 of 17th August 1966 referred to contained the names of Public Sector Undertakings, Statutory and Semi-Government Bodies which had not till then made reservation for Scheduled Castes and Scheduled Tribes in their services and from whom information regarding making reservation was awaited. On the basis of the further information received, a list of such Undertakings/Bodies as at present is laid on the Table of the House. [*Placed in Library. See* No. LT-7460/66].

(b) The position has been explained in the reply given to part (c) of the Unstarred Question No.2400 of 17th August, 1966 referred to.

राजकीय रहस्य अधिनियम के अन्तर्गत गिरफ्तारी

2622. डा० राम मनोहर लोहिया :
श्री मधु लिमये :
श्री रामसेवक यादव :
श्री किशन पटनायक :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राजकीय रहस्य अधिनियम की धारा 3 के अन्तर्गत दिसम्बर, 1964 में पुलिस ने बहुत से कर्मचारियों को गिरफ्तार किया था ;

(ख) क्या यह भी सच है कि उनके विरुद्ध कोई प्रमाण उपलब्ध न होने के कारण उन्हें एक बार 11 मार्च, 1965 को छोड़ दिया गया था तथा उसके तुरन्त पश्चात् भारतीय सुरक्षा अधिनियम की धारा 30 के अन्तर्गत पुनः नजरबन्द कर लिया गया था और वे अभी तक जेल में हैं;

(ग) क्या सरकार ने उनके अपराध तथा उसके लिये दी ज ने वाली सजा के बारे में इस बीच कोई निर्णय कर लिया गया है ; और

(घ) यदि हां, तो क्या निर्णय किया गया है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल): (क) जी हां। दिसम्बर 1964 और जनवरी, 1965 के दौरान विभिन्न तिथियों पर भारतीय सरकारी गोपनीयता अधिनियम, 1923 के अन्तर्गत अनेक कर्मचारी गिरफ्तार किये गए थे।

(ख) और (ग).उनमें से दो पर मुकदमा चलाया गया और 10 वर्ष तक की कैद की सजा दी गई और और शेष को भारत सुरक्षा अधिनियम के अन्तर्गत नजरबन्द किया गया ताकि वे राष्ट्र-विरोधी गतिविधियों में भाग न ले सकें।

(घ) भारत सुरक्षा अधिनियम के अन्तर्गत नजरबन्दी जारी रखने के प्रश्न पर उनके मामलों पर समय-समय पर पुनर्विचार के पश्चात निर्णय किया जाता है। [सलंग्न विवरण पुस्तकालय में रखा गया है। देखिये संख्या—7534/66]

रीजनल कालेज आफ एजुकेशन, अजमेर

2623. डा० राम मनोहर लोहिया :
श्री किशन पटनायक :
श्री रामसेवक यादव :
श्री मधु लिमये :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) रीजनल कालेज आफ एजुकेशन, अजमेर में हर छात्र पर औसतन कितना मासिक व्यय किया जा रहा है ;

(ख) इन छात्रों को कौन सी डिग्री दी जाती है ; और

(ग) इन स्नातकों का कैसे उपयोग किया जाता है ?

शिक्षा मंत्रालय में उपमंत्री (श्रीमती सौन्दरम रामचन्द्रन्) : (क) 1963—66 के दौरान छात्रवृत्तियों के अलावा प्रत्येक व्यक्ति पर शुद्ध औसतन खर्च 126 रुपये मासिक था और छात्रवृत्तियों के साथ 209 रुपये मासिक था।

(ख) ये डिग्रियां दी जाती हैं : विज्ञान, कृषि, वाणिज्य और गृह-विज्ञान में बी० एड०; विज्ञान शिक्षा में बी० एस० सी० तथा टेक्नोलोजी शिक्षा में बी० टेक० और औद्योगिक शिल्पों में डिप्लोमा।

(ग) स्नातकों और डिप्लोमाधारियों को अपने-अपने क्षेत्रों में अध्यापक के रूप में कार्य करने के लिए प्रशिक्षित किया जा रहा है।

Levy on Industry for Financing Technical Education

2624. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) whether the seminar on the report of the Education Commission organised by the Congress of Cultural Freedom and the Indian Committee for Cultural Freedom held at Delhi in September, 1966 have recommended a 2 per cent levy on industry to raise funds for financing technical education; and

(b) if so, the reaction of Government thereto?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) Yes Sir.

(b) The Education Commission which considered the question was of the view that such legislation would not be needed in the early stages and that the industry should be encouraged and assisted to develop training facilities on a voluntary basis. The recommendation is now under examination.

Central Advisory Board of Education

2625. Shri Bagri:
Shri Yashpal Singh:
Shri Ram Sewak Yadav:

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 1090 on the 3rd August, 1966 and state:

(a) whether Government have since received the comments of the State Governments on the recommendations made by Central Advisory Board of Education in its session held in October, 1965; and

(b) if so, the reaction of Government thereto?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) Yes, Sir. Reports of the action taken by the State Governments on the recommendations of the Central Advisory Board of Education have been received from all but two States and three Union Territories.

(b) The State Governments and Union Territories are striving to implement the recommendations to the extent their resources permit.

Financial Aid to Rajasthan for Village Sports

2626. Shri Bagri:
Shri Yashpal Singh:
Shri Ram Sewak Yadav:
Shri Dighe:
Shri Vishwa Nath Pandey:

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 1049 on the 3rd August, 1966 and state:

(a) whether any decision has since been taken on the request of the Rajasthan Government for financial aid for the implementation of their scheme to encourage sports in villages; and

(b) if not, the time by which a final decision is likely to be taken in the matter?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) No, Sir.

(b) Before the end of the financial year at the latest.

U.S. Loan for Technical Institutes

2627. Shri Bagri:
Shri Yashpal Singh:
Shri Ram Sewak Yadav:

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 325 on the 27th July, 1966 and state the progress made so far in the negotiations for a loan from the Government of U.S.A. to meet the requirements of technical Institutes in respect of procurement of equipment manufactured in that country?

The Minister of Information and Broadcasting (Shri Raj Bahadur): No progress has been made so far.

Manufacture of Stainless Steel

2628. Shri Bagri:
Shri Yashpal Singh:
Shri Ram Sewak Yadav:

Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 224 on the 3rd August, 1966 and state:

(a) whether the Durgapur Alloy Steel Plant of the Hindustan Steel Ltd., has since examined the exploitation of the new process of manufacturing stainless steel by using chromium in place of nickel developed by the National Metallurgical Laboratory, Jamshedpur; and

(b) if so, the details thereof?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) and (b). The Alloy Steels Project of Hindustan Steel Ltd. at Durgapur would undertake the manufacture of Nickel-free Stainless Steel at their plant depending upon the demand for the same.

Correspondence in Hindi

2629. Shri S. C. Samanta:
Shri M. L. Dwivedi:
Shri Subodh Hansda:
Dr. M. M. Das:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 346 on the 27th July, 1966 and state:

(a) the names of those States which still correspond in English only;

(b) whether any difficulties have been experienced by the State Governments in doing correspondence in Hindi;

(c) the steps taken to remove the difficulties; and

(d) whether all the Ministries are equipped with Hindi Cells?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) While none of the Hindi speaking States corresponds with the Central Government in English only, the non-Hindi Speaking States correspond in the English language only.

(b) No complaints have been received that reply to any communication was delayed on account of it being in Hindi.

(c) Does not arise.

(d) Adequate arrangements exist to cope with the volume of Hindi work in the Central Ministries.

Whips' Conferences

2630. Shri S. C. Samanta:
Shri M. L. Dwivedi:
Shri Subodh Hansda:
Shri Bhagwat Jha Azad:
Shri P. C. Borooah:
Dr. M. M. Das:

Will the Minister of **Parliamentary Affairs** be pleased to state:

(a) the number of Whips' Conferences held under the auspices of the Department of Parliamentary Affairs from 1960 uptodate and their achievements; and

(b) the expenditure involved in each Conference?

The Minister of Parliamentary Affairs and Communications (Shri Satya Narayan Sinha): (a) All India Whips' Conferences were held in 1962 and 1966. The Whips of various Political parties at the Centre and in the States, considered various problems connected with the working of the parliamentary machine and made appropriate recommendations. These recommendations were forwarded to the State Governments, the leaders of Political Parties in different States and the presiding Officers.

(b) An expenditure of about Rs. 8,000 was incurred on the first Conference and about Rs. 18,000 on the second.

दिल्ली में गंदे

2631. श्री नवल प्रभाकर : क्या गृह-कार्य मंत्री 23 सितम्बर, 1964 के अतारांकित प्रश्न संख्या 1107 के उत्तर के सम्बन्ध में बताने की कृपा करेंगे कि :

(क) क्या सरकार ने दिल्ली से चूहों को बाहर निकालने के बारे में पुलिस द्वारा दिये गये सुझाव को स्वीकार कर लिया है ; और]

(ख) यदि हां, तो क्या पुलिस को कोई विशेष शक्तियां दी जा रही हैं ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) जी हां।

(ख) सभी पुलिस सुपरिटेंडेंटों को धारा 55 के अधीन शक्तियों का और सब-डिवीजनल मेजिस्ट्रेटों को 1951 के बम्बई पुलिस अधिनियम के संघ राज्य क्षेत्र दिल्ली में लागू रूप की धारा 55,56 और 57 के अधीन शक्तियों का उपयोग करने का अधिकार दे दिया गया है।

Advanced Courses in Architecture

2632. Shri Shree Narayan Das: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that arrangements for advanced courses in architecture in the country are not of high standard;

(b) if so, whether it is proposed to send a number of Indian students abroad for advanced courses;

(c) whether the attention of Government has been drawn to the fact that on a number of occasions foreign firms of architects have been engaged to design residential accommodation in this country; and

(d) if so, the steps taken to prevent it in furture?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) Advanced courses in Architecture wherever conducted in the country are of high standard;

(b) Indian students are sent abroad for advanced studies in engineering and technical subjects including Architecture, not because the facilities in India are not of high standard but mostly because it affords them an opportunity to see the latest developments and techniques adopted there;

(c) No foreign firm of architects has been engaged by the Government of India to design residential accommodation in the country;

(d) Does not arise.

Allotment of land etc. to Repatriates from Burma

2633. Shri N. R. Laskar:
Shri R. Barua:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether it is a fact that Secretary (L. S. & G.), Delhi Administration issued instructions to the New Delhi Municipal Committee and Delhi Development Authority for allotment of shops, accommodation and plots to the refugees of Burma on priority basis;

(b) how many shops have been constructed and plots allotted to the refugees so far;

(c) how many applications in this connection have been received from the refugees of Burma; and

(d) if the reply to part (b) above be in negative, the reasons therefor?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri D. R. Chavan): (a) Yes, Sir.

(b) and (d). About 45 applications have been received so far for allotment of shops and plots. The question of allotment of residential plots to the repatriates is still under the considera-

tion of the Delhi Administration in consultation with the Delhi Development Authority.

The New Delhi Municipal Committee has, however, not been able to allot shops to the repatriates as only a limited number was available with the Committee.

Storage facilities for Cochin Refinery

2634. Shri Yashpal Singh: Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that substantial sums were spent on building storage facilities for Cochin Refinery when similar facilities were already available there; and

(b) if so, the reasons therefor?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). Every refinery has to have a minimum level of storage accommodation within its premises for operational purposes. Such a level of facility has been provided within the Cochin refinery.

Reclamation of used Lubricating Oils

2635. Dr. M. M. Das:
Shri B. K. Das:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri Bhagwat Jha Azad:

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 137 on the 2nd November, 1966 and state:

(a) whether the reclaimed lubricating oils have been found of requisite quality; and

(b) whether any patent has been taken out for the process?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) The reclaimed lubricating oil obtained from the 50 gallons/batch pilot plant at the Indian Institute of Petroleum has been found to be of the requisite quality as judged by standard engine tests after treatment with the necessary additives.

(b) No, Sir.

Oil Deposits in Alleppey

2636. Shri Vishwa Nath Pandey: Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that traces of Oil deposit have been found at the Arour Chemical Industrial Estate near Alleppey; and

(b) if so, steps taken to explore the same?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) No such information has been received by the ONG Commission.

(b) Does not arise.

Naga Hostiles

2637. Shri Vishwa Nath Pandey: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that one contractor of Manipur P.W.D. was shot dead by a gang of armed Naga Hostiles near the inspection bungalow in Tengnoupal sub-division of Manipur on the Indo-Burma Road on the 20th August 1966; and

(b) if so, Government's reaction thereto?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Yes, Sir.

(b) A case has been registered by the police and is under investigation.

N.D.S. Instructors

2638. Shri Vishwa Nath Pandey:
Shri H. C. Linga Reddy:
Shrimati Renu Chakravartty:

Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 90 on the 27th July, 1966 and state:

(a) whether any final decision has since been taken in regard to the keep-

ing of the National Discipline Scheme Instructors on an all-India cadre; and

(b) if not, when a decision is likely to be taken in this regard?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) I am sorry that it has not been possible so far to take a final decision about this matter. However, all posts of the National Discipline Scheme Instructors under the Central Government have been extended up to the 28th February, 1967 for the present.

(b) As early as possible, but not later than the end of February, 1967.

Wage Board for Leather Industry

2639. Shri S. M. Banerjee: Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether the Wage Board for workers engaged in leather industry has submitted its interim report;

(b) if not, the reasons for the delay; and

(c) the steps taken by Government in the matter?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): (a) **Yes.**

(b) Does not arise.

(c) The report is under consideration of Government.

Recognition of Employees Unions

2640. Shri S. M. Banerjee: Will the Minister of **Home Affairs** be pleased to state:

(a) whether new rules for recognising the Central Government Employees' Unions have been framed; and

(b) if so, the particulars thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) No Sir.

(b) Does not arise.

E.S.I. Hospital near Ulberia (West Bengal)

2641. Shri Subodh Hansda:
Shri S. C. Samanta:
Shri P. C. Borooah:
Shri M. L. Dwivedi:
Shri Bhagwat Jha Azad:
Dr. M. M. Das:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether the construction of the Employees' State Insurance Hospital near Ulberia in West Bengal has been completed;

(b) if not, when it will be completed;

(c) whether Doctors and nurses have been recruited for this hospital; and

(d) if not, when they will be appointed?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): (a) and (b). The construction of the Hospital is almost complete. It is expected to be commissioned by the end of December, 1966.

(c) and (d). Proposals for placement of doctors and nurses are under consideration of the State Government.

Bal Bhavan and National Children's Museum

2642. Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri P. C. Borooah:
Dr. M. M. Das:

Will the Minister of **Education** be pleased to state:

(a) whether Bal Bhavan and National Children's Museum are managed through an autonomous body;

(b) if so, the source of income of this body; and

(c) the total annual income and expenditure of this body for the last 2 years?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) Yes Sir, through Bal Bhavan Board.

(b) Mainly grants from the Government of India and also institutional receipts including receipts on Bal Bhavan Railway, membership fees, etc.

(c) *Year*	*Total income*	*Total Expenditure*
1964-65	Rs. 6,11,886.41	Rs. 5,77,083.86
965-66	Rs 5,74,470.91	Rs 74,294·66

Emergency

2643. Shri Madhu Limaye:
Shri Kishen Pattnayak:
Dr. Ram Manohar Lohia:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 846 on the 7th September, 1966 and state:

(a) whether the policy with regard to revoking of the Emergency has since been reviewed in the light of the coming General Elections;

(b) whether Government intend to continue using the Defence of India Rules against spies;

(c) whether the accused in the Mohit Chaudhury case have since been arrested under D.I.R. 30A; and

(d) if not, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) The matter is being constantly kept under review in the light of the external threats faced by the country and factors bearing on national security. The approach of General Elections is not such a factor. The full position has been explained in the various statements on the subject made in the House during the Budget session.

(b) Yes Sir, where necessary. The policy has been explained in the Home Minister's statement in the House on May 18, 1966.

(c) and (d). Rule 30A of the D.I.R. contains provisions for review of detention orders and not for making for arrest. The case registered against Mohit Chaudhury and others under punitive provisions of the West Bengal Security Act, the Indian Penal Code and the Indian Official Secrets Act is under investigation. Detention under rule 30 D.I.R. is not preventive provision and it can be resorted to when circumstances require preventive action.

Corruption in Public Undertakings

2644. Shri Madhu Limaye:
Shri Kishen Pattnayak:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 230 on the 3rd August, 1966 and state:

(a) the action taken by his Ministry and the Public Sector Undertakings in order to implement the 12-point programme of eradicating corruption in the Public Sector Undertakings;

(b) whether any changes have been made/new instructions have been issued in the light of the evils exposed by the P.A.C. and C.P.U. in the Reports of the Committees on Public Accounts and Public Undertakings in regard to the working of the public undertakings; and

(c) if so, the results thereof?

The Minister of Home Affairs (Shri Y. B. Chavan): (a) Scrutiny, check, inspection and preventive and remedial steps are being undertaken to implement the programme. There have also been periodical meetings of representatives of Public Sector Undertakings and Central Bureau of Investigation to review and assess the position from time to time.

(b) and (c). These reports are carefully examined and suitable instructions are issued as and when necessary. These generally a salutary effect.

Automatic Telephone Exchange in Teretta Bazar, Calcutta

2645. **Dr. M. M. Das:**
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that the proposal for setting up an automatic Telephone Exchange in the Teretta Bazar, Calcutta was sanctioned in 1962 but even the construction of the building for the Exchange has not yet started; and

(b) if so, the reasons therefor?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganath Rao): (a) Yes.

(b) Building drawings are prepared after approval of the scheme and after taking possession of the land. In this case the land had to be purchased in two parts which took about three years. The second part of the land was taken over on 9-11-65. The work for the preparation of building drawings had been entrusted to private Architect and the building drawings have been finalised.

A 13 storeyed building costing about 1.5 crores has been designed for the proposed exchange. Financial sanction for this building is being obtained. Installation of the automatic exchange will be commenced after completion of building.

Deportation of Foreigners

2646. **Dr. M. M. Das:**
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Home Affairs** be pleased to state:

(a) the total number of foreigners, who were deported from India for not possessing valid documents during 1965-66;

(b) the expenditure incurred by Government on them during the above period; and

(c) the total number of foreigners convicted for (i) over-staying in India and (ii) entering India without any valid document during the above period with their country-wise break-up?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a), (b) and (c): A statement is laid on the table of the House. [*Placed in Library. See* No. LT-7461/66].

डाक तथा तार विभाग में नैमित्तिक श्रमिक

2647. **श्री हुकम चन्द कछवाय :**
श्री बड़े :

क्या **संचार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि डाक तथा तार विभाग में नैमित्तिक श्रमिकों को डेढ़ रुपया प्रतिदिन मजूरी दी जाती है ;

(ख) क्या यह भी सच है कि गृह कार्य मंत्रालय के आदेशों के अनुरूप नैमित्तिक श्रमिकों की दैनिक मजूरी 2 रुपये 60 नये पैसे प्रतिदिन निश्चित की गई है ; और

(ग) यदि हां, तो निश्चित दर से कम मजूरी देने के क्या कारण है ?

संसद्-कार्य विभाग तथा संचार विभाग में राज्य-मंत्री (श्री जगन्नाथ राव) : (क) डाकतार विभाग में नैमित्तिक मजदूरों को दी जाने वाली दैनिक मजदूरी की दरें चालू स्थानीय दरों के अनुसार 1 रु० 37 पै० से 3 रुपये 50 पैसे तक अलग-अलग है।

(ख) जी नहीं।

(ग) प्रश्न ही नहीं उठता।

दिल्ली जेल में साधुओं के साथ व्यवहार

2648. **श्री हुकम चन्द कछवाय :**
श्री बड़े :

क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में गोहत्या के प्रति विरोध प्रकट करने के लिये पिछले सितम्बर में साधुओं को 10 दिन की जेल का दण्ड दिया गया था ;

(ख) क्या यह भी सच है कि इन साधुओं ने यह बतया है कि जेल में इनको अच्छा भोजन नहीं दिया गया था ; और

(ग) यदि हां, तो इसके क्या कारण हैं ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) जी हां। विभिन्न दलों को सामान्यतः 7 से 15 दिन तक की सजा दी गई थी ।

(ख) और (ग). कुछ साधुओं ने खाने की शिकायत की थी, कुछों ने भोजन सामग्री के बदले नकद दाम तथा शुद्ध घी की मांग की। जेल-अधिकारियों ने जेल-नियमों के अनुसार ठीक-ठीक भोजन दिया था।

Graft Cases against Government Employees

2649. **Shri D. C. Sharma:** Will the Minister of **Home Affairs** be pleased to state:

(a) the total number of graft cases reported against Government servants both gazetted and non-gazetted, during the current year so far by the Special Police Establishment of the Central Bureau of Investigation;

(b) how many cases have been dealt with so far; and

(c) the number of cases still pending and the reasons therefor?

The Minister of Home Affairs (Shri Y. B. Chavan): (a) 1030 cases were taken up up to the end of October, 1966.

(b) Investigation has been completed in 413 cases.

(c) 617 cases were pending at the end of October, 1966. The majority of the pending cases are of recent origin. The remaining cases have not been disposed of because of the following main reasons:—

(i) delay in receipt of material records and information from Departments;

(ii) extensive and far-flung nature of inquiries requiring visits to several States;

(iii) Complicated nature of cases involving scrutiny of voluminous records.

Acquisition of Murshidabad Palace

2650. **Shri Surendra Pal Singh:** Will the Minister of **Education** be pleased to state:

(a) whether there is any proposal under consideration to take over the palace at Murshidabad and to convert the same into a national museum; and

(b) whether the owner of the palace has offered it as a free gift or Government propose to purchase the same?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):

(a) and (b). The matter is under consideration.

Indian Tennis Players

2651. **Shri Surendra Pal Singh:** Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Queston No. 3215 on the 24th August, 1966 and state:

(a) whether the factual information sought for by the All-India Lawn Tennis Association from the players concerned regarding the participation of the Indian Tennis players in tournaments abroad in partnership with South-African players has since been obtained;

(b) if so, the full facts of the case; and

(c) whether any action is called for against the Indian players concerned?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) and (b). The All India Lawn Tennis Association who made enquiries from Sarvashri Premjit Lal and Jaideep Mukerjea regarding their playing in partnorship with South African players are told that since neither Shri Premjit Lal nor Shri Jaideep Mukerjea had any partners to play with in the tournaments where they participated, the concerned Tournament Committees put them together with the South African players.

(c) The All India Lawn Tennis Association have warned both Sarvashri Premjit Lal and Jaideep Mukerjea not to play in patnership with South Africans in future.

Steam Flow from Oil Well at Kathna near Cambay

2652. Shri Surendra Pal Singh: Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that hot water and steam is coming out under great pressure from oil well No. 4 at Kathna near Cambay; and

(b) if so, whether the quantity and pressure of the steam is sufficient to be utilised for power generation as is being done in other countries where such sub-surface steam is available?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Steam and hot water were gushing out from Kathna Well No. 4, but the well was controlled in a week's time. The well is no longer flowing steam and hot water.

(b) Data available being meagre, it is too early to comment on its prospects for power generation. Special studies are required to be carried out for this purpose.

Telephone Facilities for Village Panchayats in Punjab and Haryana

2653. Shri Kishen Pattnayak:
Shri Yashpal Singh:
Shri Bagri:
Shri Ram Sewak Yadav:

Will the Minister of **Communications** be pleased to state:

(a) whether Government propose to provide telephone facilities to village panchayats in Punjab and Haryana States during 1966-67;

(b) whether Government also propose to extend these facilities to other States; and

(c) if so, the amount allotted for the purpose?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) Telephone facilities in rural areas in the form of long distance Public Call Offices are sanctioned by the Government on the basis of their remunerativeness except at 'category' stations on limited loss basis. The 'category' stations for this kind of facility are administrative towns down to the level of Tehsil Headquarters and towns of population over 20,000 on the basis of 1961 census. The village Panchayats are not 'category' stations and there is no proposal to provide telephone faclities in Punjab and Haryana States at such stations in this Circle.

(b) The question does not arise.

(c) No amount has been allotted for the purpose.

Telephone and Telegraph Facilities in Punjab and Haryana

2654. Shri Kishen Pattnayak:
Shri Yashpal Singh:
Shri Ram Sewak Yadav:
Shri Bagri:

Will the Minister of **Communications** be pleased to state:

(a) whether there is any proposal under consideration to provide telephone and telegraph facilities in all

the sub post offices and Branch Post Offices in the Punjab and Haryana States; and

(b) if so, the number of such Post Offices, Branch Post Offices, where these facilities will be provided during 1966-67?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) There is no proposal under consideration to provide telephone and telegraph facilities at all the Sub-Post-Offices and Branch Post Offices in the Punjab and Haryana States;

(b) The following is the list of such places where the facilities are planned to be provided during 1966-67 in the normal course;

Sl. No.	Name of place	Status of office	Facility
1.	Dharamkot (Ferozepur Distt.)	Departmental Sub office.	Long Distance Public Call office
2.	Nahar (Distt. Gurgaon	do	do
3.	Bijhiri (Dharamsala Distt.)	do	Telegraph

Direct Telephone Service

2655. **Shri Kishen Pattnayak:**
Shri Yashpal Singh:
Shri Bagri:
Shri Ram Sewak Yadav:

Will the Minister of **Communications** be pleased to state the funds allocated or proposed to be allocated for connecting cities and towns with the Capital through direct telephone lines during the years 1966-67 and 1967-68?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): The trunk telephone network in the country is planned as an integrated scheme to connect individual stations to the network and through the network to achieve connections to other stations. Funds are, therefore, not separately allocated for connecting cities and towns with the capital on a direct basis.

Anti-National Activities of Left Communists and Rebel Mizos

2656. **Shri P. R. Chakraveti:**
Shri H. C. Linga Reddy:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have received intimation from the Government of Tripura that the Left Communists had been planning an 'armed rising' in the border State in collusion with the rebel Mizos;

(b) whether there was a large-scale infiltration of Mizos from the Assam side and the Nagas in Tripura State; and

(c) whether the Government of Tripura have sought permission to use the Defence of India Rules to check the anti-national activities of the Communists and rebel Mizos?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Sukhkla): (a) No, Sir.

(b) The Government have no information to this effect.

(c) The Government of Tripura are exempted from the restrictions imposed by rule 3A of the Defence of India Rules and need not seek previous approval or sanction of the central Government for exercising certain powers. They have, however, to exercise the powers according to the policy statements made in the Parliament from to time regarding the use of Defence of India Act and Rules.

Mangalore Fertilizer Factory

2657. **Shri H. C. Linga Reddy:**
Shri P. R. Chakraverti:
Shri Vishwa Nath Pandey:
Shrimati Savitri Nigam:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) the stage at which the proposed Mangalore Fertilizer Factory stands at present;

(b) whether it would be in private Sector or Public Sector;

(c) its estimated cost and the rated capacity; and

(d) the steps taken to make the State of Mysore self-sufficient in fertilizers in the Fourth Plan?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) A Letter of Intent has been issued to M/s. International Development & Investment Co. Ltd., Nassau, Bahamas|M/s. Dugal Enterprises (P) Ltd., New Delhi, on 20th June, 1966. They have formed a new Company by the name 'Malabar Chemicals and Fertilizers (P) Limited' for implementation of the Project.

(b) Private Sector.

(c) The Project is estimated to cost about Rs. 52.5 crores and its capacity will be as follows:—

Urea	132,000 tonnes/year
Complex fertilizer	528,000 tonnes/year
C. A. N.	180,000 tonnes/year

(d) Government are working towards self-sufficiency with respect to fertilizers on an all India basis and not on the basis of individual States. With the proposed establishment of fertilizer plants at Mangalore, Goa and Cochin, it is anticipated that full requirements of Mysore State will be met from these sources by the end of the Fourth Plan period or near about.

Grants for purchase of Imported Books

2658. Shri Bibhuti Mishra:
Shri K. N. Tiwary:

Will the Minister of Education be pleased to state whether the University Grants Commission and his Ministry propose to give more grants to the Universities for the purchase of books in view of the increased prices of the imported books as a result of devaluation?

The Minister of Information and Broadcasting (Shri Raj Bahadur): The matter is under consideration.

Supply of Books by World University Service

2659. Dr. Melkote: Will the Minister of Education be pleased to state:

(a) whether the World University Service is supplying books on loan to students of engineering, science and medical colleges in New Delhi;

(b) whether the said Service is not in a position to supply all the books required by the applicants;

(c) if so, the steps taken by Government to improve matters; and

(d) whether such Service is extended to all other colleges in India, if not, the reasons therefor?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) Yes, Sir.

(b) The World University Service is a voluntary organisation. It is not in a position to supply all the books required by the students due to its limited resources.

(c) The Government of India has adopted various measures to increase the supply of low-priced editions of standard textbooks for Higher Education published in India and abroad. The University Grants Commission also gives grants on 100 per cent basis to colleges for purchasing multiple copies of standard textbooks which can be loaned to students on long term basis.

(d) The benefits of the Service are extended only to the Colleges and Universities where local Service Committees exist.

I. A. S. joining the Rebel Mizos

2660. Shri Madhu Limaye: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a person who had recently passed in the I.A.S. written and oral examination from Mizo Hills District has joined the rebels;

(b) whether it is a fact that no information was collected by the Central agencies about this person prior to his examination; and

(c) what were the reasons for his alienation?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Government have no such information.

(b) and (c). Do not arise.

हिन्दुस्तान लीवर लिमिटेड के कर्मचारियों द्वारा भूख-हड़ताल

2661. श्री हुकम चन्द कछवाय :
श्री बड़े :
श्री विश्राम प्रसाद :

क्या **श्रम, रोजगार तथा पुनर्वास मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हिन्दुस्तान लीवर लिमिटेड के कर्मचारियों ने अपनी मांगें मनवाने के लिये सितम्बर, 1966 से भूख हड़ताल कर रखी है ;

(ख) यदि हां, तो उनकी मांगें क्या हैं ; और

(ग) इस सम्बन्ध में सरकार द्वारा क्या कार्यवाही की गई है ?

श्रम, रोजगार तथा पुनर्वास मंत्रालय में उपमंत्री (श्री शाहनवाज खां): (क) जी हां।

(ख) कर्मचारियों की मांग यह है कि क्षेत्रीय अधिकारियों और दफ्तर के कर्मचारियों के काम के ढंग और परिमाण में वर्तमान स्थिति को तब तक कायम रखा जाय जबतक कि उनके उस विवाद का निपटारा नहीं हो जाता जो कि कार्य एकीकरण द्वारा आर्थिक पुनर्गठन के प्रयत्न के रूप में मानवीय अभिनवीकरण के शुरू करने के सम्बन्ध में है।

(ग) औद्योगिक विवाद अधिनियम, 1947 के अन्तर्गत, इस मामले में औद्योगिक संबंधों के लिए राज्य सरकारें सम्बन्धित सरकारें हैं। पश्चिमी बंगाल सरकार ने हिन्दुस्तान लीवर लिमिटेड और उनके कर्मचारियों का विवाद 30 सितम्बर, 1966 को औद्योगिक न्यायाधिकरण के पास न्याय-निर्णय के लिए भेज दिया है। बम्बई में भी राज्य के श्रम विभाग द्वारा विवाद समझौते की कार्यवाही के लिए भेज दिया गया है। समझौता कार्यवाही जारी है। यह पता चला है कि मैनेजमेंट बम्बई में किया गया समझौता/निर्णय इस दश में अन्य केन्द्रो पर लागू करने को तैयार है।

राजौरी क्षेत्र में पाकिस्तानियों द्वारा हत्या तथा अपहरण

2662. श्री हुकम चन्द कछवाय :
श्री बड़े :
श्री विश्राम प्रसाद :

क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 16 सितम्बर, 1966 के "वीर अर्जुन" में प्रकाशित यह समाचार सच है कि पाकिस्तानियों के एक दल ने युद्ध विराम रेखा पार करके राजौरी क्षेत्र में डांगी गांव के मुखिया खान मुहम्मद की हत्या की थी ;

(ख) क्या यह भी सच है कि वे उसकी युवा पत्नी को उठा ले गये और उसका रुपया-पैसा तथा सम्पत्ति भी ले गये ; और

(ग) यदि हां, तो सरकार ने इस सम्बन्ध में क्या कार्यवाही की है ?

गृह-कार्य मंत्री (श्री यशवन्त राव चव्हाण): (क) 9 सितम्बर, 1966 की रात को कुछ पाकिस्तानियों ने युद्ध विराम रेखा से 2–3 मील दूर ग्राम डूंगी के निवासी मुहम्मद याकूब के घर में घुस कर एक हैंडग्रेनेड का विस्फोट किया जिसके फलस्वरूप मुहम्मद याकूब की मृत्यु हो गई और उसका भाई मुहम्मद खान घायल हो गया।

(ख) उन्होंने एक अवयस्क बालक को अपहृत कर लिया किन्तु मुहम्मद याकूब की पत्नी के अपहरण की चेष्टा में असफल रहे।

(ग) रणबीर दंड संहिता की धारा 396/363 के अन्तर्गत एक मामला दर्ज किया गया।

विश्वविद्यालय अनुदान आयोग में पद

2663. **श्री विश्राम प्रसाद :** क्या शिक्षा मंत्री 23 मार्च, 1966 के अतारांकित प्रश्न संख्या 2677 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) विश्वविद्यालय अनुदान आयोग के कार्यालय में प्रत्येक संवर्ग में अलग-अलग कितने प्रतिशत पद अनुसूचित जातियों तथा अनुसूचि आदिम जातियों के व्यक्तियों के लिये रक्षित है ;

(ख) क्या ऐसे सभी पदों पर अनुसूचित जातियों और अनुसूचित आदिम जातियों के व्यक्ति ही कार्य कर रहे है ; और

(ग) यदि नहीं, तो इसके क्या कारण है ?

सूचना और प्रसारण मंत्री (श्री राज बहादुर): (क) विशेष योग्यताओं की मांग करने वाले पदों के मामलों को छोड़ कर, हर केडर में खुली प्रतियोगिता के अलावा, सीधी भर्ती द्वारा भरे जाने वाले रिक्त स्थानों के 12½ प्रतिशत और 5 प्रतिशत क्रमशः अनुसूचित जातियों और अनुसूचित कबीलों के उम्मीदवारों के लिए आरक्षित रखे जाते हैं।

(ख) विभिन्न केडरों में अनुसूचित जातियों के लिए आरक्षित 33 पदों के आगे 31 व्यक्ति विश्वविद्यालय अनुदान आयोग के दफ्तर में काम कर रहे है। अनुसचित कबीलों के लिए तत्सम्बन्धी आंकड़े 19 और 'कुछ नहीं' है।

(ग) उपयुक्त उम्मीदवारों का न मिलना।

दिल्ली के वरिष्ठ पुलिस अधिकारी

2664. **श्री विश्राम प्रसाद :** क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली पुलिस के वरिष्ठ अधिकारी नये भर्ती किये गये कांस्टेबलों से अपना घरेलू कार्य करवाते हैं तथा अपने से कनिष्ठ अधिकारियों से अपनी मोटर कारों आदि की मरम्मत करवाते हैं; और

(ख) यदि हां, तो इस कुप्रथा को दूर करने के लिए सरकार का क्या कार्यवाही करने का विचार है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) जी नहीं।

(ख) प्रश्न ही नहीं उठता।

भारत में विदेशी धर्म प्रचारक

2665. **श्री विश्राम प्रसाद :**
श्री काशी राम गुप्त :
श्री नरदेव स्नातक :
श्री मोहन स्वरूप :
श्री छ० म० केदरिया :

क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1947 में भारत में विदेशी धर्म प्रचारकों की संख्या कितनी थी ; और

(ख) 31 मार्च 1966 में यह संख्या कितनी थी ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) और (ख). 14 अगस्त, 1947 को भारत में पंजीकृत विदेशी धर्म प्रचारकों की कुल संख्या 2,271 थी और 1 जनवरी 1966 को 4,214। इन आंकड़ों में राष्ट्र-मण्डलीय देशों के धर्म प्रचारक शामिल नहीं हैं क्योंकि उन्हें पंजीकरण नहीं कराना पड़ता।

अनुसूचित जातियों के उम्मीदवारों के इन्टरव्यू में प्राप्त अंक

2666. **श्री विश्राम प्रसाद :**
श्री काशी राम गुप्त :
श्री नरदेव स्नातक :

श्री मोहन स्वरूप :
श्री छ० म० केदरिया :

क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अनुसूचित जाति तथा अन्य निर्धन वर्गों के अधिकतर उम्मीदवार भारतीय प्रशासनिक सेवा, भारतीय पुलिस सेवा तथा भारतीय विदेश सेवा के लिये ली जाने वाली परीक्षाओं में इंटरव्यू के समय असफल हो जाते हैं;

(ख) यदि हां, तो क्या सरकार का विचार इन्टरव्यू के लिये अंकों की सीमा कम करके इस असन्तुलन को दूर करने का है; और

(ग) यदि नहीं, तो उसके क्या कारण है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) जी नहीं । इन तीनों सेवाओं के लिये चयन के तरीके को बताने वाला एक विवरण संलग्न है ।

(ख) और (ग). प्रश्न ही नहीं उठते ।

विवरण

इन तीनों सेवाओं की प्रतियोगिता परीक्षाओं की प्रक्रिया इस प्रकार है कि ऐसे उम्मीदवार जो लिखित परीक्षा में अर्हता के लिये संघ लोक सेवा आयोग द्वारा स्वविवेक के आधार पर निर्धारित क्रम से कम अंक प्राप्त कर लेते हैं, व्यक्तित्व-परीक्षण के लिए साक्षात्कार पर बुलाये जाते हैं। व्यक्तित्व-परीक्षण के बाद उम्मीदवारों को अन्तिम रूप से मिले हुए कुल प्राप्तांकों के आधार पर योग्यता-क्रम के अनुसार रखा जाता है और केवल उतने ही उम्मीदवारों की नियुक्ति के लिए सिफारिश की जाती है जिन्हें संघ लोक सेवा आयोग नियुक्ति के योग्य समझता है । अनुसूचित जातियों तथा अनुसूचित आदिम जातियों के उम्मीदवारों के लिये ऐसी प्रथा है कि चाहे वे किसी सेवा के लिए आयोग द्वारा निर्धारित स्तर के आधार पर अर्हता प्राप्त न कर सकें फिर भी प्रशासन में दक्षता के स्तर को बनाये रखने का ध्यान रखते हुए उन्हें नियुक्ति के योग्य घोषित कर दिया जाता है । व्यक्तित्व परीक्षा के लिये बुलाये जाने वाले उम्मीदवारों की संख्या सामान्यतः उपलब्ध रिक्तियों की संख्या से बहुत अधिक होती है और इस लिए परीक्षा की प्रकृति के अनुसार ही केवल उतने ही उम्मीदवारों को अन्तिम रूप से सफल घोषित किया जा सकता है जितना कि सामान्य तथा आरक्षित आधारों में रिक्तियां उपलब्ध हों । व्यक्तित्व परीक्षण के लिये अर्हता के न्यूनतम अंकों की कोई सीमा नहीं है । इस स्पष्टीकरण को देखते हुए यह कहना ठीक नहीं होगा कि अनुसूचित जातियों के अधिकतर उम्मीदवारों व्यक्तित्व परीक्षण के समय असफल होते हैं ।

अनुसूचित जातियों तथा अनुसूचित आदिम जातियों से इतर उम्मीदवारों में अन्य निर्धन वर्गों को छांटना सम्भव नहीं है ।

अन्दमान द्वीप समूह में लोगों का बसाया जाना

2367. **श्री छ० म० केदरिया :**
श्री विश्वनाथ प्रसाद :
श्री ओंकारलाल बेरवा :
श्री मंगल स्वरूप :
श्री लखन स्नातक :

क्या श्रम, रोजगार तथा पुनर्वास मन्त्री 23 मार्च 1966 के अतारांकित प्रश्न संख्या 2653 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) जन संख्या की निरन्तर वृद्धि तथा बर्मा और अन्य देशों से भारतीय मूल के व्यक्तियों के लगातार स्वदेश लौटने को ध्यान में रखते हुए, क्या सरकार का विचार महाद्वीप (मेनलैण्ड) से कुछ इच्छुक व्यक्तियों को अन्दमान द्वीपसमूह में बसाने का है ; और

(ख) यदि नहीं, तो इसके क्या कारण हैं ?

श्रम, रोजगार तथा पुनर्वास मंत्रालय में उपमंत्री (श्री टा० रा० चव्हाण) : (क) और (ख) अन्तर्विभागीय दल द्वारा अन्दमान तथा निकोबार द्वीप समूह के लिये त्वरित विकास कार्यक्रम तैयार कर लिया गया है। इस कार्यक्रम के अन्तर्गत वर्तमान 75,000 की जनसंख्या को चतुर्थ पंचवर्षीय योजना के अंत तक दुगनी करना दृष्टि में रखा गया है और पांच योजना की अवधि में और एक लाख की वृद्धि दृष्टि में रखी गई है। अतिरिक्त जनसंख्या को उपकारी रोजगार में लगाने के लिये विकास कार्यक्रम की सिफारिश की गई है। आशा है कि द्वीप समूह में बसाने के लिये अतिरिक्त जनसंख्या के मुख्य स्रोत, पूर्वी पाकिस्तान से आये विस्थापित, बर्मा तथा लंका से स्वदेश लौटने वाले भारतीय तथा महाद्वीप (मेनलैण्ड) के लोग जो कार्यक्रम को विशिष्ट व्यवसायिक आवश्यकताओं को पूरा करने हों, होंगे।

शिक्षा मंत्रालय द्वारा आयोजित गोष्ठियां

2668. श्री नरेश स्नातक :
श्री विश्राम प्रसाद :
श्री मोहन स्वरूप :
श्री छाजूराम गुप्त :
श्री ओ० म० केरकेटा :

क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) 1966–67 में अब तक उनके मन्त्रालय के अन्तर्गत काम करने वाले विभिन्न कार्यालयों तथा आयोगों ने कितनी गोष्ठियों का आयोजन किया ;

(ख) इन गोष्ठियों का आयोजन किन स्थानों पर किया गया और इन पर कितना धन व्यय हुआ ;

(ग) बचत की दृष्टि से इनका आयोजन दिल्ली में न करने के क्या कारण हैं ; और

(घ) क्या भविष्य में इस तरह की सब गोष्ठियों का आयोजन दिल्ली में ही करने का प्रस्ताव है ?

शिक्षा मंत्रालय में उपमंत्री (श्रीमती सोन्दरम रामचन्द्रन) : (क) एक अप्रैल, 1966 से 30 सितम्बर, 1966 तक के समय में उन्तीस।

(ख) और (ग). जानकारी का एक विवरण सभा पटल पर रखा जाता है। [पुस्तकालय में रख दिया। देखिये संख्या एच० टी० 7453/66]

(घ) जी नहीं। कुछ प्रादेशिक सेमिनार प्रदेश केन्द्रों में आयोजित करने होते हैं। फिर भी सेमिनार का स्थल तय करते समय बचत की जरूरत का ध्यान रखा जाएगा।

शिक्षा मंत्रालय में स्टाफ कारें

2669. श्री छाजूराम गुप्त :
श्री विश्राम प्रसाद :
श्री नरेश स्नातक :
श्री मोहन स्वरूप :

क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) उनके मन्त्रालय में कितनी स्टाफ कारें हैं ;

(ख) उनके माडल और मूल्य, पृथक-पृथक क्या हैं ; और

(ग) उनके रख-रखाव पर अनुमानतः कितना वार्षिक व्यय होता है ?

शिक्षा मंत्रालय में उपमंत्री (श्रीमती सोन्दरम रामचन्द्रन्) : (क) पांच।

(ख) स्टाफ कार की सं०	माडल	खरीद की तारीख	मूल्य रु०
1. डी० एल० डी० 9163	लैंड मास्टर	78–3–1957	12,680.05
2. डी० एल० ई० 7916	एम्बेसेडर	11–5–1959	11,194.80
3. डी० एल० आई० 5339	हम्बर (सुपर स्पाइन)	18–4–1964	63,716.20
4. डी० एन० जे० 1665	एम्बेसेडर	24–5–1965	12,722.00
5. डी० एल० जे० 5470	एम्बेसेडर	8–4–1966	14,970.24

(ग) 1965–66 के दौरान उनके रख-रखाव पर कुल खर्च 26,690.93 रुपये था।

Rehabilitation of Repatriates from Burma

2670. Shri R. Barua:
Shri N. R. Laskar:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether Government have any proposal to take over rehabilitation work for the repatriates from Burma from the Delhi Administration; and

(b) whether it is a fact that neither the New Delhi Municipal Committee nor the Municipal Corporation, Delhi nor the Delhi Development Authority have so far submitted any scheme for the rehabilitation of the repatriates from Burma in the matter of residential plots, shops and stalls?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri D. R. Chavan): (a) No, Sir.

(b) The question of allotment of residential plots to the repatriates from Burma in Delhi is being considered by the Delhi Administration in consultation with the Delhi Development Authority.

A proposal for construction of stalls for the repatriates is also under consideration of the Municipal Corporation of Delhi. As regards the N. D. M. C., it has now been possible for them to reserve any shops for repatriates as the Committee have only a very limited number with them.

Rehabilitation Loan to Repatriates from Burma

2671. Shri N. R. Laskar:
Shri R. Barua:
Shri Liladhar Kotoki:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to refer to the reply given to Starred Question No. 632 on the **24th** August, 1966 and state:

(a) whether it is a fact that the Delhi Administration has not conveyed instructions of his Ministry to the director of Industries for the enhancement of loan to these repatriates from Rs. 2000 to Rs. 5000;

(b) whether the loan for rehabilitation is payable in lump sum or is instalments; and

(c) if the reply to part (a) above be in affirmative, the reasons for withholding the instructions of the Rehabilitation Ministry by the Delhi Administration?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri D. R. Chavan): (a) No, Sir.

(b) A loan of less than Rs. 1000/- is normally paid to repatriates in one instalment. Loan of Rs. 1000/- or more is paid in two instalments spread over a period of six months.

(c) Does not arise.

Prosecution of Government Employees

2672. Shri Utiya:
Shri Madhu Limaye:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the permission to prosecute a State Government employees is necessary only if the punishment for the offence alleged is two years or less; and

(b) whether it is also a fact that prosecutions can be launched by S.P.E., Central Government in corruption and other cases if the punishment for the offence alleged is over two years without the sanction of State Government?

The Minister of Home Affairs (Shri Y. B. Chavan): (a) and (b). No, Sir. Whether permission or sanction of the appropriate Government to prosecute a Government servant is necessary or not depends upon the provisions of law under which he is sought to be prosecuted.

Former Transport Manager, Poona

2673. Shri Utiya:
Shri Madhu Limaye:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 3803 on the 31st August, 1966 and state:

(a) whether the report of the State Government in the case of the Former Transport Manager, Poona has been examined; and

(b) if so, the decision taken in the matter?

The Minister of Home Affairs (Shri Y. B. Chavan): (a) and (b). The reply of the State Government is still under examination.

Commemorating the Late Dr. Champakaraman Pillai

2674. Shri Sivamurthi Swamy: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the ashes of Dr. Champakaraman Pillai, who was a great patriot and fought for India's freedom, have been brought to India from Germany; and

(b) if so, the steps, if any taken by Government to commemorate this fighter of India's freedom?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes, Sir.

(b) This is for the public to initiate and organise.

Unemployment of Technical Persons

2675. Shri Sivamurthi Swamy: Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether Government have taken any steps to tackle the problem of unemployment among the technical persons such as engineers;

(b) whether Government have enquired from Employment Exchanges the position regarding Registered technical persons who are still unemployed; and

(c) if so, the details thereof?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): (a) Development of modern industries, agriculture on modern lines, expansion of small scale industries and Transport and Communication envisaged in the Fourth Plan are expected to lead to larger employment opportunities for the unemployed including technical persons;

(b) and (c). Enquiries conducted recently to ascertain the employment status of engineers who were on the live register of the Employment Exchanges in the States of Madhya Pradesh, Maharashtra and Delhi revealed that among the Engineering graduates registered with the exchanges 40 to 55 per cent were already employed and were seeking assistance for better employment.

Employment Exchange, Arab-Ki-Sarai

2676. **Shri Sivamurthi Swamy:** Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether Arab-Ki-Sarai Employment Exchange, Nizamuddin, New Delhi has submitted any list to Government of Highly qualified persons such as Doctors, Engineers and Post-graduates with Diploma in teaching enrolled in their registers; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): (a) and (b). Information in regard to the number of applicants on the live register of the employment exchange, Arab-ki-Sarai as on 30-6-1966 is given below:

Category	No. on live register
Doctors.	261
Engineers.	.. 491
Post-graduates with diploma or degree in teaching.	.. 956

Survey of Unemployed Educated Persons

2677. **Shri Sivamurthi Swamy:** Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether Government have conducted any survey of the number of educated persons still remaining unemployed;

(b) whether Government have also conducted an all India survey of unemployed persons depending on agriculture; and

(c) if so, the details thereof?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): (a) and (b). No.

(c) Does not arise.

Uniformity in Higher Secondary Education

2678. **Shri Sivamurthi Swamy:**
Shri Basappa:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that there is no uniformity in the pattern of education upto higher secondary level in States as there are central schools, higher secondary schools and high schools and intermediate colleges; and

(b) if so, the causes and reasons for such a diversity?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) Yes, Sir.

(b) The main reason is that at the time of independence the States inherited different educational patterns in their respective areas.

Provident Fund Contributions in Lakshmiratan Cotton Mills, Kanpur

2679. **Shri S. M. Banerjee:** Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether it is a fact that the management of Lakshmiratan Cotton Mills, Kanpur has not deposited the amount of provident fund deducted from its employees to the Provident Fund Commissioner;

(b) if so, the reasons therefor; and

(c) the action taken by Government in the matter?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): (a) M|s. Lakshmiratan Cotton Mills, Kanpur are exempted from the operation of the Employees' Provident Funds Scheme under section 17(1) of the Employees' Provident Funds Act, 1952. Being an exempted establishment, they are required to invest their provident fund money in Central Gov-

ernment securities and not to deposit it with the Provident Fund Commissioner.

(b) Does not arise.

(c) For failure of the establishment to invest provident fund money in Central Government securities, action is being taken to cancel the exemption and complaints for prosecution are also being filed in the Court.

Pyrites and Chemicals Development Company, Ltd.

2680. **Shri P. C. Borooah:**
Shri Bhagwat Jha Azad:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri M. L. Dwivedi:
Shri P. R. Chakraverti:
Shri H. C. Linga Reddy:
Shri Yashpal Singh:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that only after six years of the incorporation of the Pyrites and Chemicals Development Company, Ltd., the first step in regard to the execution of the project, namely ordering of equipment therefor, has been taken recently; and

(b) if so, the reasons for the delay in initiating action?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). No. The equipment was ordered from time to time and bulk of the indigenous machinery has already arrived. There has been some delay in the procurement of imported machinery on account of foreign exchange difficulties.

Mana Peak Expedition

2681. **Shri Vishwa Nath Pandey:**
Shri H. C. Linga Reddy:
Shri Indrajit Gupta:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Mana peak has been conquered by the Parvat Abhijatri Sangh, Calcutta recently;

(b) if so, a brief account of the expedition; and

(c) the assistance, if any, given by Government towards financing the Mana Peak expedition?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes, Sir.

(b) A ten member expedition, with Shri Biswadeb Biswas as Leader, was sponsored by the Sangh to climb the 23,860 feet high Mana Peak. Shri Pranesh Chakravarty, with four high altitude sherpas, reached the peak on 19th September, 1966. On their way back, the four Sherpas slipped and received injuries. On receipt of the report through the U.P. Government, the Indian Mountaineering Foundation approached the Ministry of Defence for assistance. The Sherpas were rescued by an IAF Helicopter on September 26 and admitted to the District Hospital, Bareilly; two of them have fully recovered and the other two are progressing satisfactorily. The Leader, who slipped and broke one of his ribs, and Shri Chakravarty, who suffered from frost bite on the toes, are also well now.

(c) The Indian Mountaineering Foundation, which is assisted by a grant from the Government, sanctioned Rs. 6,000 for the Expedition and paid the hire charges for equipment obtained from Jayal Memorial Fund Stores, maintained by the Himalayan Mountaineering Institute, Darjeeling.

Shortage of Skilled Workers in Printing Industry

2682. **Shri Maheswar Naik:** Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether it is a fact that the printing industry in India is facing considerable shortage of skilled hands for lack of co-ordination between the Ministries of Labour and Education;

(b) whether it is also a fact that the one-year Diploma Course and the three-year Certificate Course for printing workers are being handled independently by the two Ministries; and

(c) if so, the steps being taken by Government to meet this shortage?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): (a) No. The responsibility for training of skilled workers is with the Ministry of Labour, Employment and Rehabilitation.

(b) The Ministry of Education is responsible for Technical Education including education in Printing Technology at the diploma level and above i.e. of Technicians and Graduates and the Ministry of Labour, Employment and Rehabilitation is responsible for training at the lower level i.e. of skilled workers. The three years course for technicians in Printing Technology is, therefore, dealt with by the Education Ministry, while the one year course for skilled workers is dealt with by the Ministry of Labour, Employment and Rehabilitation.

(c) Facilities for institutional training and also for apprenticeship are being expanded in the Fourth Five Year Plan to meet the growing needs of the industry for skilled workers.

Press Statements by Tripura Government

2683. **Shri Biren Dutta:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that on the 30th August, 1966 and subsequently, Tripura Government issued some Press Statements on the incidents that took place on the 28th August, 1966 and 29th September, 1966 at Agartala Town; and

(b) if so, the contents of those Statements?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Yes, Sir.

(b) Copies of the Press Statements are placed on the Tables of the House. [*Placed in Library. See* No. LT-7454/66].

भारतीय भाषाओं के लिये रोमन लिपि का प्रयोग

2684. श्री ब्रजराजेश्वर शास्त्री :
श्री जगदेव सिंह सिद्धान्ती :

क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या योजना आयोग की शिक्षा समिति ने प्रस्ताव किया है कि सब भारतीय भाषाओं के लिए रोमन लिपि का प्रयोग किया जाये; और

(ख) यदि हां, तो सरकार इस निर्णय से कहां तक सहमत है ?

शिक्षा मंत्रालय में राज्य मंत्री (श्री भक्त दर्शन) : (क) जी नहीं।

(ख) प्रश्न नहीं उठता।

Defence of India Rules

2685. **Shri Kolla Venkaiah:**
Shri Mohammad Elias:
Shri Kishen Pattnayak:
Shri Madhu Limaye:

Will the Minister of **Home Affairs** be pleased to state:

(a) the number of persons detained under the Defence of India Rules in the different States at present;

(b) the number of Communist Marxists among the persons detained;

(c) the number of persons belonging to Samyukta Socialist Party;

(d) the number of persons belonging to other Opposition Parties; and

(e) the reasons for the continuance of their detention in spite of the coming General Election?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) The number of persons detained under the Defence of India Rules in the different States on 15th November, 1966 was 692.

(b) None.

(c) None.

(d) 74 persons belonging to different political parties were in detention on 15th November, 1966.

(e) They have been detained with a view to preventing them from acting in any manner prejudicial to the defence of India and civil defence. The coming General Election has no bearing on their continued detention.

Foreign Agents among Students

2686. Shri Maniyangadan: Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government are aware of the report in the *'Times of India'* (Delhi Edition) of 5th October, 1966 that "efforts at infiltration were afoot, particularly among students, some of whom were said to be in the pay of foreign agents"; and

(b) if so, whether any enquiry has been made in this regard and the result thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Yes, Sir.

(b) Enquiries made so far do not corroborate the allegation.

Increase in Emoluments of Staff of Indian Oil Corporation

2687. Shri Warior:
Shri Vasudevan Nair:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that the staff of the Indian Oil Corporation (Marketing Division) were granted an increase in emoluments in July, 1966;

(b) if so, how much;

(c) whether these increases were also granted to the staff of the Indian Oil Corporation (Refineries Division); and

(d) if not, the reasons therefor?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes.

(b) The increase given to the staff (in the grades below Rs. 350-590 grade) with effect from 1-1-1966 is as under:—

(i) Basic pay increased by 20 per cent.

(ii) Dearness Allowance increased by 10 per cent of the revised basic pay subject to a minimum of Rs. 10 per month. During the last year of the settlement i.e. from July 1, 1968 to June 30th, 1969, another increase of 7 per cent of the basic pay will be given in the Dearness Allowance.

(iii) House Rent Allowance and Compensatory (City) Allowance is continued to be paid according to the percentage rates prevailing on 1-7-66. Any increase in the Dearness Allowance, House Rent Allowance, Compensatory (City) Allowance made in future by the Government will not be payable to the Employees of the Indian Oil Corporation (Marketing Division).

(c) No.

(d) The pay and allowances and service conditions of employees of the Refineries Division and those of the Marketing Division are different, and the Divisions are administratively separate.

New Universities

2688. Shri Maheswar Naik: Will the Minister of **Education** be pleased to state:

(a) whether the University Grants Commission has written to his Ministry to find out if Government have changed their policy of establishing

new universities in the States during the Fourth Plan period; and

(b) if so, Government's reaction thereto?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) and (b). The University Grants Commission has recently asked for the views of the Government of India with regard to the establishment of new universities during the Fourth Five Year Plan. The matter is under consideration.

Expedition to Trisuli

2689. **Shri Tula Ram:**
Shri Vishwa Nath Pandey:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that an expedition team of the Himalayan Association of Calcutta climbed the high Mount of Trisuli on the 9th October, 1966;

(b) if so, the composition of the team; and

(c) a brief account of the expedition?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) to (c). Necessary information is being collected and will be laid on the Table of the House.

कालेज आफ आर्ट्स दिल्ली के कर्मचारियों के विरुद्ध शिकायतें

2690. श्री ओंकार लाल बेरवा :
श्री हुकम चन्द कछवाय :

क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कालेज आफ आर्टस, दिल्ली के विद्यार्थियों ने, अपनी मांगें स्वीकार न किये जाने के विरोध में, हड़ताल कर दी है ;

(ख) क्या सरकार को कालेज के कुछ कर्मचारियों द्वारा की गई अनियमितताओं के विरोध में शिकायतें मिली हैं ; और

(ग) यदि हां, तो इस मामले में क्या कार्यवाही की गई है ?

सूचना और प्रसार मंत्री (श्री राज बहादुर) : (क) और (ख). जी हां।

(ग) इनकी जांच की गई थी और ये निराधार पाए गए।

पटना के निकट पाकिस्तानी ट्रांसमीटर

2691. श्री ओंकार लाल बेरवा :
श्री हुकम चन्द कछवाय :

क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान बिहार विधान सभा के एक सदस्य द्वारा विधान सभा में प्रकट की गई इस बात की ओर दिलाया गया है कि पटना के आसपास के क्षेत्रों में भारत विरोधी गतिविधियों तथा जासूसी करने के लिए अभी भी गुप्त रूप से एक पाकिस्तानी ट्रांसमिटर का प्रयोग किया जा रहा है ; और

(ख) यदि हां, तो क्या सरकार का विचार इस मामले की जांच कराने का है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल): (क) जी हां।

(ख) बिहार राज्य की सरकार मामले की जांच कर रही है। अभी कोई ऐसी बात प्रकाश में नहीं आई जिससे किसी ऐसे ट्रांसमिटर का होना सिद्ध हो सके।

दिल्ली नगर निगम के स्कूलों में ईसाई धर्म का प्रचार

2692. श्री बड़े :
श्री हुकम चन्द कछवाय :

क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या 6 अक्टूबर, 1966 के 'वीर अर्जुन' में प्रकाशित यह समाचार सच है कि दिल्ली नगर निगम के स्कूलों में धर्म प्रचारक ईसाई धर्म का प्रचार करते हैं ;

(ख) यदि हां, तो इस सम्बन्ध में अब तक कितने अध्यापकों के विरुद्ध कार्यवाही की गई है ; और

(ग) यदि प्रश्न के भाग (ख) का उत्तर नहीं में है तो इसके क्या कारण हैं ?

सूचना और प्रसारण मंत्री (श्री राज बहादुर) : (क) से (ग). सरकार के ध्यान में अब तक एक ही मामला आया है जो हाल में हुआ था और जिसमें भारत की बाइबिल सोसाइटी, नई दिल्ली ने कुछ धार्मिक पुस्तकें दिल्ली नगर निगम के चार स्कूलों में वितरित की थीं। चूंकि यह निगम से पहले आज्ञा लिए बिना ही किया गया था, इसलिए किताबें वापिस ले ली गई थीं। निगम से मामले पर जांच पड़ताल और जरूरी कार्यवाही करने के लिए कहा गया है।

Naga's attack on Ukhrul

2693. **Shri Dighe:**
Shri Vishwa Nath Pandey:
Shri Tula Ram:
Shri P. C. Borooah:
Shrimati Ramdulari Sinha:
Shri Shinkre:
Shri Hukam Chand Kachhavaiya:
Shri Maheswar Naik:
Shri Kindar Lal:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that three armed constables of the Central Reserve Police were killed and some others received severe bullet injuries when a large number of armed Naga hostiles equipped with automatic weapons made a surprise attack on them about seven miles from Ukhrul on the 13th October, 1966; and

(b) if so, the action taken in the matter?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) On the 14th October, 1966, a gang of Naga hostiles opened fire upon a road protection party of the Central Reserve Police from three directions with automatic weapons near Hundung Sangshau bridge. The C.R.P. returned the fire in self-defence. In the encounter six personnel of the C.R.P. were killed and four personnel received bullet injuries. One of the injured persons died in the hospital later on.

(b) A case under various sections of I.P.C. has been registered and is under investigation.

Girls' Education

2694. **Dr. Mahadeva Prasad**: Will the Minister of **Education** be pleased to state:

(a) the percentage of girls' education in the different States; and

(b) the steps taken to improve it?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) and (b). A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-7455/66].

Fertilizer Factory, Gorakhpur

2695. **Dr. Mahadeva Prasad**: Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) the progress made so far in the establishment of the Fertilizer Factory at Gorakhpur; and

(b) when the factory is likely to start production?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) The factory is in an advanced stage of construction. The progress of work in respect of the different items is as follows:

(i) Site preparation is completed.

(ii) Scheme for supplying raw materials, water and power have been finalised. Construction of power and water installations has been completed to the extent of 81 per cent and 62 per cent respectively.

(iii) Civil work for the factory started in September, 1965. 72 per cent of Civil Works has been completed.

(iv) About 99 per cent of the material has been ordered and 98 per cent of the material delivered at site.

(v) Mechanical Erection of the factory started in January, 1966. About 40 per cent of the erection job so far has been completed.

(vi) Electrical and Instrumentation work has started and is in full swing.

(b) By the 2nd half of 1968.

Personnel for Fertilizer Factory, Gorakhpur

2696. **Dr. Mahadeva Prasad:** Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) the number of persons planned to be employed on the completion of the Fertilizer Factory at Gorakhpur;

(b) the number of persons employed at present; and

(c) the number of persons employed or being employed in the above factory on account of the retrenchment in other fertilizer factories?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) About 1900.

(b) 1198 regular employees and 422 daily rated workers as on 31-10-1966.

(c) 37, inclusive of 5 daily rated workers.

Payment of Higher Fees by More Affluent Students

2697. **Dr. Mahadeva Prasad:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that in the Twentieth meeting of the Central Advisory Board of Education held in November, 1953, the then Education Minister and the Chairman of the Board, the late Maulana Abul Kalam Azad suggested that the less meritorious but more affluent students may be required to pay higher fees; and

(b) if so, how far his suggestion has been taken into consideration?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) and (b). In the twentieth meeting of the Central Advisory Board of Education held in November, 1953, the late Maulana Abdul Kalam Azad in his Chairman's address mentioned that one method by which a larger provision of stipends and scholarships for meritorious students could be made would be "that the less meritorious but more affluent students may be required to pay higher fees". From the proceedings of the CABE meeting it is seen that the Board did not make any recommendation to the Government in this behalf.

Military Service for Doctors and Engineers

2698. **Shri Basumatari:**
Shri Onkar Lal Berwa:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the doctors and engineers recruited to the Central and State services will be liable for compulsory military service; and

(b) if so, whether necessary changes have been affected in the service rules?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) and (b). The Recruit-

ment|Service Rules for various Central Engineering and Medical services| posts for which an engineering or medical degree is a necessary qualification have been amended to provide for liability to serve in the Armed Forces. So far as the amendment of Recruitment|Service Rules for corresponding Services|posts under the State Governments are concerned, the position according to the latest information available is given in the Statement laid on the Table of the House. [*Placed in Library. See* No. LT-7456/66].

Teaching of Hindi

2699. **Shri D. C. Sharma:** Will the Minister of **Education** be pleased to state:

(a) whether the suggestion of Dr. V. K. R. V. Rao, Member, Planning Commission for teaching of Hindi through regional scripts and the publication of Hindi books in non-Hindi scripts for facilitating the early evolution of Hindi as the nation's link language, has been considered; and

(b) if so, with what result?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes, Sir.

(b) The suggestion made by Dr. Rao regarding preparation of bilingual dictionaries by rendering the Hindi words in the scripts of the regional languages was accepted; and a scheme for the preparation of bilingual dictionaries has since been included in the Fourth Plan. The other suggestion made by Dr. Rao regarding the publication of Hindi books in the scripts of the regional languages was not found to be practicable.

Administrative Reforms Commission Report

2700. **Shri Jashvant Mehta:**
Shri D. C. Sharma:
Shri P. C. Borooah:

Shri H. C. Linga Reddy:
Dr. L. M. Singhvi:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Administrative Reforms Commission in its interim report submitted to Government has recommended the appointment of independent authorities to deal with citizens' grievances and complaints against officials and Ministers;

(b) whether the recommendations have been considered; and

(c) if so, with what results?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Yes, Sir.

(b) and (c). The recommendations are under consideration of the Government.

Special Status for Urdu Language

2701. **Shri Indrajit Gupta:**
Shri D. C. Sharma:
Shri Surendra Pal Singh:
Shri Mohammed Koya:
Shri Kolla Venkaiah:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is proposed to issue a Presidential Ordinance under Article 347 of the Constitution to accord Urdu language a special status in certain areas for certain purposes; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) No, Sir.

(b) Does not arise.

Rashtriya Vikas Dal, Tripura

2702. **Shri Dasaratha Deb:** Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether there is any proposal to establish a 'Khand' of the Rashtriya Vikas Dal enrolling displaced persons in Tripura;

(b) whether members have been selected for such a 'Khand';

(c) if so, the details thereof; and

(d) the work likely to be done by the 'Khand'?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri D. R. Chavan): (a) No, Sir.

(b) to (d). Do not arise.

S.C. and S.T. Employees in Tripura

2703. Shri Dasaratha Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) the total number of Scheduled Caste and Scheduled Tribe employees among the Class III and Class IV Government employees of Tripura;

(b) whether their number is satisfactory, compared to the ratio fixed for these categories of employees; and

(c) if not, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) to (c). The number of Scheduled Caste and Scheduled Tribe employees of the Government of Tripura belonging to Class III and Class IV is as under:

Category	*Class* III	*Class* IV	*Total*
Sch. Castes	815	920	1,735
Sch. Thibes	982	922	1,904
Total	1,797	1,842	3,639

7.5 per cent posts have been reserved for Scheduled Castes and 30 per cent for Scheduled Tribes. The actual proportion of employees belonging to Scheduled Castes and Scheduled Tribes in Class III and Class IV falls below the prescribed percentages of reservation. The reason for the deficiency is non-availability of suitable candidates in spite of relaxation of age limits and qualifications prescribed.

भारतीय राजनैतिक प्रवृत्तियों का सर्वेक्षण

2704. श्री किशन पटनायक :
श्री मधु लिमये :

क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि अमरीकी विश्वविद्यालय तथा संस्थाएं भारत में कुछ अनुसन्धान संस्थाओं के माध्यम से भारतीय राजनैतिक प्रवृत्तियों के विभिन्न पहलुओं का व्यापक सर्वेक्षण करा रही हैं ;

(ख) क्या यह सर्वेक्षण कार्य प्रारम्भ कराने से पहले उन्होंने किसी स्तर पर सरकार से अनुमति मांगी थी ; और

(ग) यदि हां, तो गत तीन वर्षों में ऐसे कितने सर्वेक्षणों/अनुसन्धान कार्यों की अनुमति दी गई थी और कौन-कौन से अमरीकी विश्वविद्यालय/संस्थाएं ये सर्वेक्षण करा रही हैं ?

सूचना और प्रसारण मंत्री (श्री राज बहादुर): (क) से (ग). सूचना एकत्र की जा रही है और यथासमय सभा पटल पर रख दी जाएगी ।

अलीगढ़ मुस्लिम विश्वविद्यालय विधेयक

2705. श्री यशपाल सिंह क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने अलीगढ़ मुस्लिम विश्वविद्यालय विधेयक में संशोधन करने का निर्णय किया है ; और

(ख) यदि हां, तो संसद् में विधेयक कब तक पुरःस्थापित किये जाने की सम्भावना है ?

सूचना और प्रसारण मंत्री (श्री राज बहादुर): (क) और (ख). अलीगढ़ मुस्लिम विश्वविद्यालय अधिनियम और संविधियों के संशोधन के लिए दीर्घ-कालीन वैधानिक प्रस्ताव शीघ्र पेश करने की सम्भावना है ।

जुलाई, 1966 में अखिल भारतीय मुस्लिम मजलिसे मुशावरात की बैठक

2706. श्री सरजू पाण्डेय: क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में 21, 22 तथा 23 जुलाई, 1966 को अखिल भारतीय मुस्लिम मजलिसे-मशवरात की कार्यकारिणी समिति की बैठक हुई थी ; और

(ख) यदि हां, तो उक्त बैठक में क्या क्या मुख्य निर्णय किये गये ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) जी हां।

(ख) कार्यकारिणी समिति ने एक नौ-सूत्री घोषणा पत्र तैयार किया था । अन्य बातों के अतिरिक्त इस घोषणा-पत्र में निम्न-लिखित बातों की भी मांग की गई थी :—

(1) शिक्षा-पद्धति में सुधार ।

(2) आनुपातिक प्रतिनिधित्व के आधार पर चुनाव पद्धति का पुनर्निधारण ।

(3) कल्याण कार्यों का एक संर्वा-गीण कार्यक्रम ।

(4) मुसलमानों के व्यक्तिगत विधि-नियमों को संरक्षण ।

(5) उत्तर प्रदेश, दिल्ली, बिहार राजस्थान, मध्य प्रदेश, आन्ध्र प्रदेश और मैसूर में उर्दू को द्वितीय सरकारी भाषा का दर्जा।

(6) अल्प-संख्यक परिषद् की स्थापना ।

(7) भारतीयों द्वारा अपने भिन्न भिन्न समुदायों के लिये प्रारम्भ की गई शिक्षा संस्थाओं का संरक्षण ।

(8) विभिन्न सम्प्रदायों के लोगों द्वारा निर्वाचित औकाफ़ों की व्यवस्था; और

(9) सामाजिक सुधार ।

Engineering and Technical Colleges in Uttar Pradesh

2707. Shri K. C. Pant: Will the Minister of **Education** be pleased to state:

(a) the number of Engineering and Technical colleges to be opened in Uttar Pradesh during the Fourth Five Year Plan;

(b) the amount allotted for each of the colleges and their respective capacity for the admission of students;

(c) whether the above number is adequate in view of the backwardness of Uttar Pradesh as compared to other industrially-developed States of the country; and

(d) if so, the steps taken by Government to bring Uttar Pradesh at par with other industrially-developed States of the country in this behalf?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) to (d). A high-power Committee under the Chairmanship of Dr. V. K. R. V. Rao, Member (Education), Planning Commission, has been set up to re-assess the requirements of technical personnel in the Fifth and subsequent plans and also to recommend the extent and the manner of expansion of facilities in technical education necessary in the Fourth Plan to meet the revised requirements adequately. A decision on the expansion programme to be undertaken during the Fourth Plan will be taken only after the findings of this Committee are available.

Oil Exploration

2708. Shri Hem Raj: Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) the names of new places where oil finds have been located during the year; and

(b) the names of places which are proposed to be exploited for exploration of oil finds during the Fourth Plan period?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) During 1966 only one structure in Gujarat State has been found to be oil bearing.

(b) The Oil & Natural Gas Commission will continue Geological and Geophysical surveys in various sedimentary basins of India including the offshore areas of Cambay Gulf and East Coast. It will also continue its exploratory drilling in Gujarat, Assam, Madras, West Bengal and Rajasthan. Oil India Limited will continue its operations in Assam.

Chaturangi Expedition

2709. Shri Kindar Lal:
Shri Vishwa Nath Pandey:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that some persons of the Chaturangi expedition slipped down the cliff while making final assault on Bhagirathi II in Uttar Kashi District, Uttar Pradesh on the 23rd October, 1966; and

(b) if so, the reaction of Government thereto?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Four members of the Chaturangi expedition slipped down the cliff on the 22nd October, 1966 after making successful final assault on Bhagirathi II. Three of them died.

(b) Government deeply regret the accident. The Prime Minister has sanctioned a grant of Rs. 1,000 each to the next of kin of the three deceased

Miners' Hostels

2711. Shri Warior: Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether the applications of the Babisole, Kharkharsree, and Samle Manderboni Coal mines to open Miners' Hostels have been approved and authorised by the Central Miners' Hostels Committee;

(b) if not, the reasons for each of them; and

(c) whether the Central Recruiting Organisation or other unofficial camps, are still being maintained in these coal mines inspite of the disapproval of the Central Miners' Hostels Committee?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): (a) No.

(b) The application for opening of a Miners' Hostel at Babisole Colliery was rejected, as the Central Hostels Committee were of the view that the mine could work with an additional labour strength of hundred workers which the management could recruit locally.

The application of the Kharkharee colliery for granting recognition to the Hostel at the Colliery was rejected as the Hostel was started without the prior permission of the Central Hostels Committee. On the basis of an enquiry about the condition of the Hostel the Central Hostels Committee has since decided to consider the question of recognition of the Hostel on being approached by the management after the defects pointed out in the enquiry report have been removed.

The application of Samla Manderboni Colliery for recognition of the Hostel was rejected as there was no agreement on the question of recognition between the workers' and employers' representatives in the Central Hostels Committee.

(c) A private camp is in existence at the Babisole Colliery which is run by an ex-employee of the Coalfield Recruiting Organisation and with which the Coalfield Recruiting Organisation has no concern.

The unauthorised hostels at Kharkharee and Samla Manderboni Collieries are still functioning.

सरकारी सम्मेलनों तथा बैठकों में उपस्थित होने के लिये मंत्रियों द्वारा गाड़ियों का उपयोग

2712. श्री शिकरे :
श्री ओंकार लाल बेरवा :
श्री हुकम चन्द कछवाय :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) जनवरी, 1966 से जुलाई, 1966 तक किन-किन स्थानों पर केन्द्रीय मंत्रियों ने सरकारी कार्य के लिये कितने सम्मेलनों तथा बैठकों में भाग लिया;

(ख) 1 अगस्त, 1966 से 31 अक्तूबर, 1966 तक उन्होंने कितनी बैठकों में भाग लिया; और

(ग) इसके लिये कितनी सरकारी गाड़ियों का प्रयोग किया गया तथा पैट्रोल आदि पर कितना व्यय हुआ ?

गृह-कार्य मंत्री (श्री यशवन्तराव चव्हाण) : (क) से (ग). सूचना एकत्रित की जा रही है और यथासमय सदन के सभा-पटल पर रख दी जायगी ।

हिन्दी सहायक

2713. श्री शिकरे :
श्री ओंकार लाल बेरवा :
श्री हुकम चन्द कछवाय :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि वे सभी हिन्दी सहायक जिन्होंने 1959 में संघ लोक सेवा आयोग की परीक्षा पास की थी स्थायी कर दिये गये हैं;

(ख) यदि नहीं, तो उनमें से कितने हिन्दी सहायकों को अब तक स्थायी न किया गया है;

(ग) क्या किसी मंत्रालय अथवा विभाग में जहां एक से अधिक हिन्दी सहायक काम कर रहे हैं उनमें से किसी एक को भी सात वर्ष की लम्बी अवधि में स्थायी नहीं किया गया है;

(घ) यदि हां, तो उन विभागों के नाम क्या है;

(ङ) इसके क्या कारण है; और

(च) उन्हें कब तक स्थायी किये जाने की संभावना है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल): (क) से (च). सूचना एकत्रित की जा रही है और सदन के सभा-पटल पर रख दी जायगी ।

Kathmandu-Raxaul Telephone and Telegraph Link

2714. Shri Brij Basi Lal:
Shri Vishwa Nath Pandey:

Will the Minister of Communications be pleased to state:

(a) whether it is a fact that Government have reached an agreement with the Government of Nepal under which India will instal a surface trunk telephone and telegraph line linking Kathmandu and Raxaul across the Indo-Nepal border; and

(b) if so, the main features thereof?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) No.

(b) Does not arise.

पंजाब विश्वविद्यालय, चंडीगढ़ में हरियाणा [illegible] का प्रतिनिधित्व

2715. **श्री जगदेव सिंह सिद्धान्ती** : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार पंजाब विश्वविद्यालय, चण्डीगढ़ में हरियाणा राज्य के निवासियों के हितों की देखभाल करने के लिए नई व्यवस्था होने तक वर्तमान व्यवस्था के स्थान पर कोई तदर्थ समिति बनाने का है;

(ख) यदि हां, तो उस तदर्थ समिति में हरियाणा के कितने सदस्यों के लिये जाने का प्रस्ताव है; और

(ग) यदि नहीं, तो हरियाणा के हितों की रक्षा किस प्रकार की जायेगी ?

गृह कार्य मंत्री (श्री यशवन्तराव चव्हाण) : (क) से (ग). ऐसी कोई तदर्थ समिति बनाने का विचार नहीं है । फिर भी पंजाब पुनर्गठन अधिनियम, 1966 की धारा 72 के अधीन निदेश जारी करके पंजाब विश्वविद्यालय अधिनियम, 1947 में विश्वविद्यालय की वृद्ध सभा (सीनेट) तथा अभिषद (सिंडीकेट) में नये हरियाणा राज्य के निवासियों के प्रतिनिधित्व की व्यवस्था के लिए 1 नवम्बर, 1966 से आवश्यक संशोधन कर दिये गये हैं ।

Annual Production of Fertilizers and Pesticides

2716. **Shri Rama Chandra Mallick:**
Shri Sudhansu Das:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) the total production of fertilizers per year in the country; and

(b) the total production of pesticides in the country per year?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a)

Tonnes

	Nitrogenous fertilizers (in terms of nitrogen)	Phosphatic fertilizers (in terms of P_2O_5)
1961-62 . .	144,931	[illegible]66,030
1962-63 . .	177,598	[illegible]80,597
1963-64 . .	222,051	[illegible]107,482
1964-65 . .	240,008	[illegible]130,878
1965-66 . .	233,317	[illegible]111,205

(b)	1961	1962	1963	1964	1965
(i) B.H.C. .	4631	4744	5739	6156	7441
(ii) DDT . .	2824	2568	2569	2660	2745
(iii) COC . .	832	818	1083	1520	1311
(iv) EDC . .	—	2	3	46	18
(v) EDB . .	Nil.	Nil	Nil	Nil	Nil
(vi) Coloidal sulphur	Nil	Nil	Nil	11	52
(vii) Malathion .	Nil	Nil	84	97	242
viii) Orgeo mercurial	21	12	46	47	44
(x) Zinc phosphate.	140	39	69	234	269
x) Thiocarbomate	Nil	Nil	Nil	Nil	56
xi) 2·6D . .	Nil	Nil	Nil	Nil	60

राष्ट्रपति द्वारा प्राप्त दया याचिकाएं

2717. **श्री प० ला० बाकपाल :**
श्री सिद्धेश्वर प्रसाद :
श्री मधु लिमये :
श्री चांडक :
श्री रा० गि० दुबे :
श्री तुलशीदास जाधव :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) 1 जनवरी, 1966 से 31 अक्तूबर, 1966 तक राष्ट्रपति के पास कितनी दया याचिकाएं आईं; और

(ख) कितनी दया याचिकाओं पर निर्णय दिया जा चुका है तथा कितनी विचाराधीन हैं ?

गृह-कार्य मंत्री (श्री यशवन्तराव चव्हाण): (क) और (ख). 1 जनवरी, 1966 31 अक्तूबर, 1966 तक की अवधि में राष्ट्रपति को 142 दया याचिकाएं प्राप्त हुई। इनमें से 135 याचिकाओं पर निर्णय दिया जा चुका है और 7 विचाराधीन हैं ।

टेलीफोन निर्देशिकाओं का हिन्दी संस्करण

2718. **श्री यशपाल सिंह:** क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार पिछले एक वर्ष से हिन्दी-भाषी राज्यों की राजधानियों में टेलीफोन निर्देशिका का एक हिन्दी संस्करण प्रकाशित करने का विचार कर रही है;

(ख) क्या यह भी सच है कि सरकार अभी तक हिन्दी संस्करण प्रकाशित नहीं कर सकी है; और

(ग) यदि हां, तो इसके क्या कारण हैं ?

संचार-कार्य विभाग तथा संचार विभाग में राज्य-मंत्री (श्री जगन्नाथ राव) : (क) राजस्थान, उत्तर प्रदेश, मध्य प्रदेश, बिहार तथा दिल्ली की कुछ प्रतिशत टेलीफोन निर्देशिकाएं हिन्दी में प्रकाशित करने के अनुदेश जारी कर दिये गये हैं ।

(ख) और (ग). इतनी बड़ी बड़ी पुस्तकों के प्रारम्भ में अनुवाद तैयार कराने, साथ ही उन्हें छापने में पर्याप्त काम करना पड़ेगा । निर्देशिकाओं को यथासंभव शीघ्र प्रकाशित करने के प्रयत्न किये जा रहे हैं ।

Visit of Secretary, Indian Council for Cultural Relations Abroad

2719. **Shri Brij Raj Singh:**
Shri Bade:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the Secretary, Indian Council for Cultural Relations visited Europe in May, 1959;

(b) if so, whether he drew from the Council Rs. 2,000 in 1961 as T.A. and D. A. for his tour to Europe in May, 1959;

(c) whether it is also a fact that the British Council paid him the subsidy for the tour; and

(d) if the reply to part (c) above be in the affirmative, whether he disclosed this fact while claiming T.A. and D.A. from the Council?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) Yes Sir.

(b) He drew Rs. 1,398.19 from the Indian Council for Cultural Relations on account of T.A. and D.A. This amount includes 1/4th D.A. in countries where local hospitality was provided and full D.A. in those where the local expenditure was borne by the Council as admissible under rules.

(c) and (d). Yes, Sir.

Test Audit Report of I.C.C.R.

2720. Shri Brij Raj Singh:
Shri Bade:

Will the Minister of **Education** be pleased to state:

(a) whether the Test Audit Reports for two months for the years 1962-63, 1963-64 and 1964-65 of the Indian Council for Cultural Relations have been received by Government;

(b) if so, whether Government have found serious irregularities concerning financial and administrative matters;

(c) if the reply to part (b) above be in the affirmative, who is responsible for the irregularities and the action Government propose to take against him;

(d) whether the said Test Audit Reports will be placed on the Table; and

(e) whether Government propose to have the accounts for the remaining ten months of the years 1962-63, 1963-64 and 1964-65 audited?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) Inspection Reports based on the test audit of the accounts of the Indian Council for Cultural Relations for the years 1962-63, 1963-64 and 1964-65 have been received.

(b) and (c). There were irregularities but they were not of serious nature. The I.C.C.R. has been requested to be more careful in future.

(d) It is not the practice to place such Reports on the Table.

(e) No, Sir.

Allocation of Funds for Education to Mysore State

2721. Shri H. C. Linga Reddy: Will the Minister of **Education** be pleased to state:

(a) the amount made available to the Mysore Government under the Head "Education" during the Third Five Year Plan period;

(b) the amount actually expended alongwith the reasons for the shortfall in expenditure;

(c) the amount made available for Compulsory Primary Education in the State during the Third Five Year Plan; and

(d) the amount now proposed to be allotted during the Fourth Plan period?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) The total outlay on Education in the State Third Five Year Plan was Rs. 20.5572 crores.

(b) The State Government has reported an expenditure of Rs. 16.4026 crores. The shortfall, according to the State Government, is mainly due to reduced budget provision on account of the national emergency in 1962.

(c) Rs. 6.644 crores.

(d) Discussions with the State Government about the Fourth Plan are still in progress.

भ्रष्टाचार निरोधक विभागीय समितियां

2722. श्री बड़े :
श्री ओंकार लाल बेरवा :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय सरकार ने भ्रष्टाचार को रोकने के लिये विभागीय समितियां स्थापित करने का निर्णय किया है;

(ख) यदि हां, तो क्या राज्य सरकारें भी ऐसा करने के लिये सहमत हो गई हैं;

(ग) यदि नहीं, तो वे कब ऐसा करेंगी; और

(घ) इन समितियों के सदस्य कौन कौन होंगे ?

गृह-कार्य मंत्री (श्री यशवन्तराव चव्हाण) : (क), से (घ). संथानम समिति ने इस बात की सिफारिश की थी कि प्रत्येक मंत्रालय/विभाग/उपक्रम के बारे में इस बात का गहराई के साथ अध्ययन किया जाना चाहिए कि वहां कितना और किस प्रकार का भ्रष्टाचार सम्भव है और यदि उसे रोकने तथा दूर करने के लिए कोई उपाय बताये गये हैं तो वे क्या हैं और कितने प्रभावशाली हैं। सरकार ने इस सिफारिश को सिद्धान्त रूप से स्वीकार कर लिया और मंत्रालयों/विभागों को इस निर्णय के लागू करने के लिए कहा। इस निर्णय के अनुसार मंत्रालयों/विभागों द्वारा अनेक अध्ययन दल/विभागीय समितियां स्थापित की गई हैं। अध्ययन दलों/विभागीय समितियों की सदस्यता प्रत्येक मामले की आवश्यकताओं पर निर्भर करती है।

(ङ) संथानम समिति का प्रतिवेदन यथोचित कार्यवाही के लिए राज्य सरकारों को भेजा गया था। उनके द्वारा की गई कार्यवाही के बारे में सूचना एकत्रित नहीं की गई।

उड़ीसा में खानों का बन्द किया जाना

2723. श्री शिन्करे :
श्री हुकम चन्द कछवाय :

क्या श्रम, रोजगार तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उड़ीसा की पांच खानों की मालिक, मेसर्स एम० ए० तालीब एण्ड कम्पनी लिमिटेड ने अपने कर्मचारियों को अन्य रोजगार दिये बिना इन खानों को बन्द कर दिया है;

(ख) क्या यह भी सच है कि इसके परिणामस्वरूप 1500 व्यक्ति बेरोजगार हो गये हैं; और

(ग) यदि हां, तो इस बारे में सरकार ने क्या कार्यवाही की है ?

श्रम, रोजगार तथा पुनर्वास मंत्रालय में उपमंत्री (श्री शाहनवाज खां) : (क) जी हां। ये खानें कलकत्ता उच्च न्यायालय द्वारा नियुक्त रिसीवर के आदेशानुसार 27-7-1960 से बन्द हैं।

(ख) इन पांच खानों में लगभग 1,300 व्यक्ति काम कर रहे थे। ऐसे अधिकांश कर्मचारियों को, जो कि साप्ताहिक वेतन पर काम कर रहे थे, आस-पास की खानों में नियुक्त होने की रिपोर्ट मिली है।

(ग) इन खानों के बन्द होने की सूचना प्राप्त होने पर, केन्द्रीय औद्योगिक सम्बन्ध मशीनरी के अधिकारियों ने खानों का दौरा किया और उन्हें पता चला कि संबंधित रिकार्ड छीन लिये गये थे और सभी दफ्तर रिसीवर के आदेशानुसार सील कर दिये गये। रिकार्ड के अभाव में वह श्रमिकों की बकाया राशि का भी अनुमान नहीं लगा सके। जिन श्रमिकों और श्रमिक संगठनों से सम्पर्क स्थापित किया गया, वे भी इस सम्बन्ध में कोई सूचना नहीं दे सके। प्रादेशिक श्रमायुक्त, कलकत्ता इस मामले की पैरवी कर रहे हैं।

Settlement of Ex-Servicemen in N.E.F.A.

2725. Shri P. C. Borooah: Will the Minister of Home Affairs be pleased to refer to the reply given to S.Q. No. 718 on the 23rd March, 1966 and state the steps taken to implement the schemes prepared for the settlement of ex-servicemen in Tripura and N.E.F.A.?

The Minister of Home Affairs (Shri Y. B. Chavan):

Tripura

Under the Tripura scheme, 500 families of ex-servicemen are to be settled in two compact blocks of 250 families each. Sites for the two blocks have been selected and in respect of one of them plots of land for allotment have been parcelled out, 60 ex-servicemen from Tripura have been

selected. The selection of another 50 families of ex-servicemen from Kerala is in progress and necessary sanctions for raising the settlement have been issued.

2. The programme for the second block will be taken up in the light of the experience in this block.

N.E.F.A.

The N.E.F.A. scheme envisages the settlement in N.E.F.A. of 100 families of ex-servicemen, ex-personnel of the Assam Rifles etc. Steps have been taken to select suitable volunteers. It is expected that, besides some ex-servicemen, 23 ex-personnel of the Assam Rifles with families would be settled in N.E.F.A. during the current year. For assisting the N.E.F.A. Administration in the implementation of the scheme, a Liaison Officer with headquarters at Shillong will shortly be in position.

Loss suffered by P.&T. Department in Andhra due to Steel Plant Agitation

2726. Shri Mohammed Koya: Will the Minister of **Communications** be pleased to state the estimated loss to the Posts and Telegraphs Department due to disturbances which followed steel agitation in Andhra Pradesh?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): The amount of loss suffered by the Department is approximately estimated at Rs. 180,000|- including the probable loss of Rs. 35,000|- on account of Trunk Telephone Revenue and Message Revenue.

Demonstration in Delhi on 7th November, 1966

2727. **Shri Hukam Chand Kachhavaiya:**
Shri D. C. Sharma:
Shri Shinkre:
Shri Gulshan:
Shri Firodia:

Will the Minister of **Home Affairs** be pleased to state:

(a) the extent of damage caused to life and property (public and private) during the demonstrations in front of Parliament House for ban on cow-slaughter;

(b) the number of persons arrested for creating loot, arson and otherwise instigating the mob to create violence; and

(c) the further action taken in the matter?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) A statement showing the loss of life and property (public and private) which has come to light so far is given below.

(b) 80 persons have been arrested so far.

(c) Investigations are in progress.

Statement

1. 8 persons including 1 constable were killed.

2. 3 DTU Buses, 4 Postal Vans, 1 Truck, 131 Cars (including 11 Government Cars), 2 Motor Cycles (including 1 Government Motor Cycle, 36 Scooters, 3 Cycles, 4 Police Vehicles (1 Pick Up, 2 Jeeps, and 1 Motor Cycle) were either partially or wholly damaged or destroyed by burning.

3. A number of shops, Cinema Houses and restaurants in Cannaught Place and Asaf Ali Road, Government Offices and Commercial buildings in Parliament Street Complex and Gole Post Office, were damaged by stone pelting and by attempts to set them on fire. Residences of Shri K. Raghu Ramiah, Minister for Supply and Technical Development and Shri Kamaraj Congress President were damaged by pelting of stones. Their residences were also set on fire by the miscreants and some portions of the two houses were burnt along with furniture and other articles. Some Glass panes in the Vithal Bhai Patel House were also broken. (This includes the damage of Rs. 79,000|- done to the Government Buildings).

4. 2 Petrol Pumps on Irwin Road were also attacked by an unruly mob,

which removed some cash and petrol tins. The owners of the Petrol Pumps have not yet filed statement of monetary loss.

5. Some street lights and traffic signals and route signs were also damaged and destroyed.

Burning alive of six persons in Delhi

2728. **Shrimati Renu Chakravartty:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether six persons were burnt alive by the infliction of a large quantity of thinner fuel inside a room in Bholanath Nagar, Shahdara, Delhi by some persons;

(b) whether a written complaint was handed over to the D.I.G. on the 9th September, 1966;

(c) whether this was recorded and, if so, whether it has been recorded under Sections 302/307 read with 120-B and 436 of I.P.C. or under any other Sections; and

(d) the action taken in the matter?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Six persons died as a result of a fire that broke out in a pencil factory functioning in a portion of a house in Bholanath Nagar, Shahdara. The landlord had stored paints, wood, thinner oil and some other inflammable material in the factory.

(b) Yes, Sir.

(c) The case was registered under Section 304-A of I.P.C. at Police Station Shahdara immediately on receipt of the report of incident on 5-9-66.

(d) The case is under investigation.

Pay Scales of University Teachers in West Bengal

2729. **Shrimati Renu Chakravartty:**
Shri P. C. Borooah:

Will the Minister of **Education** be pleased to state:

(a) when the new pay-scales for University teachers in West Bengal will be enforced;

(b) whether it is a fact that West Bengal Government has promised to undertake its financial responsibility to implement the recommendations of the University Grants Commission, if the Central Government fulfilled its financial promises; and

(c) whether Government have fulfilled its obligations?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) to (c). The Government of India have communicated their decision on the proposals sent by the State Government of West Bengal for adoption of improved pay scales of college and university teachers with effect from April 1, 1966. Government of India will be meeting 80 per cent of the expenditure on the scheme during the Fourth Five Year Plan period.

Financial Crisis in Kerala University

2730. **Shri Vasudevan Nair:**
Shri Warior:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the Kerala University is facing a very serious financial crisis; and

(b) if so, the steps being taken to get over this crisis?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) and (b). The information is being collected and will be laid on the Table of the Sabha in due course.

University Grants Commission Grant to Kerala University

2731. **Shri Vasudevan Nair:**
Shri Warior:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that a substantial part of the grant given by the University Grants Commission to the Kerala University during 1965-66 has lapsed; and

(b) if so, the amount so lapsed and the reasons therefor?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) and (b). Out of the total grant of Rs. 19.02 lakhs sanctioned to the University of Kerala by the University Grants Commission during 1965-66, an amount of Rs. 15.37 lakhs was paid to the University during that year. The grants which could not be paid to the University by the end of the last financial year would not lapse till a period of one year from the issue of the sanction letters.

Commissioner for Public Grievances

2732. **Shri Surendra Pal Singh:**
Shri P. C. Borooah:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the Commissioner for Public Grievances has submitted a detailed report on the functioning of the Commission and has described the entire machinery as inadequate and ineffective and has asked for more powers for itself;

(b) if so, Government's reaction thereto;

(c) whether there is any proposal to make some changes in the present set-up to enable it to function more effectively; and

(d) if so, the broad details thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Yes, Sir. In this connection, attention is invited to part (b) of the Starred Question No. 462 answered on November 23, 1966.

(b) The Commissioner's recommendations are under consideration of the Government.

(c) and (d). Do not arise in view of (b) above.

अंडों के परिरक्षण का नया तरीका

2733. श्री बृज वासी लाल :
श्री बज बिहारी मेहरोत्रा :
श्री विश्वनाथ पाण्डेय :
श्री बाल गोविन्द वर्मा :
श्री राम स्वरूप :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय खाद्य प्रौद्योगिकी अनुसंधान संस्था, मैसूर ने अंडों के परिरक्षण का एक नया तरीका निकाला है; और

(ख) यदि हां, तो इस सम्बन्ध में सरकार की क्या प्रतिक्रिया है ?

सूचना और प्रसारण मंत्री (श्री राज बहादुर) : (क) जी, हां ।

(ख) संस्थान द्वारा इस प्रक्रिया को प्रदर्शित करने तथा लोकप्रिय बनाने और इसकी वाणिज्यिक प्रगति में दिलचस्पी लेने वाले लोगों को इसे सौंपने के लिए कार्रवाई की जा रही है ।

Archaeological Survey of India Centenary Celebrations

2734. **Shri Sidheswar Prasad:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the Archaeological Survey of India celebrated its Centenary in 1961;

(b) if so, the amount which was sanctioned and that actually spent;

(c) whether there was any misutilisation/misappropriation of the fund and, if so, the persons responsible for it and the action taken against him;

(d) whether any enquiry has been made into the matter by the Special Police Establishment and, if so, the findings thereof; and

(e) if the replies to parts (c) and (d) above be in the negative, the reasons for the delay?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes, Sir.

(b) An amount of Rs. 2.65 lakhs was sanctioned for the Celebrations. Advances (aggregating Rs. 0.21 lakhs were drawn by the Archaeological Survey of India, which included requirements for certain non-centenary purposes also, besides expenditure on the Centenary Celebrations.

(c) to (e). The matter has been under investigation of the Special Police Establishment, since March, 1963; and their final report is awaited. Further action will be taken when the report is received.

हिन्दुस्तान कल्चरल सोसाइटी, इलाहाबाद

2735. श्री सिद्धेश्वर प्रसाद : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हिन्दुस्तान कल्चरल सोसाइटी, इलाहाबाद को एक शब्दकोष के प्रकाशन के लिए सितम्बर, 1953 में वित्तीय सहायता दी गई थी;

(ख) यदि हां, तो कितनी राशि दी गई थी; तथा उसकी शर्तें क्या थीं;

(ग) उस समय सोसाइटी के पदाधिकारी तथा सदस्य कौन कौन थे;

(घ) क्या सोसाइटी ने शब्दकोष प्रकाशित कर दिया है; और

(ङ) यदि नहीं, तो विलम्ब के क्या कारण हैं तथा सरकार का इस सम्बन्ध में और क्या कार्यवाही करने का विचार है ?

शिक्षा मंत्रालय में उपमंत्री (श्री भक्त दर्शन) : (क) जी हां ।

(ख) कोश का संकलन करने के लिए मूलत: सितम्बर, 1953 में चार बराबर किश्तों में दिये जाने वाला 60 हजार रुपये का अनुदान मंजूर किया गया था । मार्च, 1956 में इसी काम के लिए 40 हजार रुपये का अतिरिक्त अनुदान मंजूर किया गया । पाण्डुलिपि के प्रकाशन के लिए कोई अनुदान नहीं दिया गया है । नीचे लिखी शर्तें रखी गई थीं :

(1) काम को 24 महीनों के समय में पूरा करना पड़ेगा ।

(2) किये गये काम की प्रगति के बारे में सोसाइटी सरकार के पास ब्यौरेवार रिपोर्ट भेजेगी, और

(3) सोसाइटी अनुदान मंजूर होने पर लेखा परीक्षित हिसाब भेजेगी ।

(ग) मंत्रालय के पास उपलब्ध जानकारी के अनुसार नीचे लिखे व्यक्ति सोसाइटी के पदधारी थे :

(1) श्री अब्दुल मजीद ख्वाजा (सभापति)

(2) डा० भगवान दास (उप सभापति)

(3) डा० अब्दुल हक (शासी निकाय के सभापति)

(4) पंडित सुन्दर लाल (सचिव)

(5) डा० तारा चंद (कोषाध्यक्ष)

(घ) जहां तक इस मंत्रालय को पता है, कोश सोसाइटी द्वारा अभी तक प्रकाशित नहीं किया गया है ।

(ङ) कोश का प्रकाशन हिन्दुस्तानी कल्चर सोसाइटी की जिम्मेदारी है । पता चला है कि वह मुद्रण की लागत पूरी करने के लिए जरूरी पैसा इकट्ठा कर रही है । सरकार ने कोश के प्रकाशन के लिए और कोई अनुदान न देने का फैसला किया है ।

Commercial Exploitation by C.S.I.R.

2736. Shri Sidheshwar Prasad: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the costing of scientific and industrial process developed for commercial exploitation has not been introduced in Laboratories of the C.S.I.R.;

(b) if so, the reasons therefor;

(c) the basis on which N.P.L's. patent rights are registered; and

(d) the steps being taken or already taken to ensure the commercial exploitation of the processes patented in India/abroad?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) and (b). Costing of scientific and industrial processes is generally undertaken by the National Laboratories when the processes are ready for commercial exploitation through the National Research Development Corporation (N.R.D.C.).

(c) All patents from the National Laboratories including N.P.L. are registered in the name of the C.S.I.R.

(d) Steps taken to ensure the commercial exploitation of the processes by the N.R.D.C. are given below:

In India:

The following are approached:

(i) Prospective entrepreneurs;

(ii) Director of Industries of all States;

(iii) Small Industries service Institutes;

(iv) Technical and Scientific Journals;

(v) Federation of Indian Chambers of Commerce and Industry; and

(vi) Press Information Bureau.

Abroad:

In cases where corresponding patents have been obtained in foreign countries, N.R.D.C. of India invariably contacts its counterparts in those countries for exploring commercial possibilities of such patents.

Audit Reports of Central Universities

2737. Shri Sidheshwar Prasad: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the matter of presenting the Audit Reports of the Central Universities to Parliament is being considered since 1952-53; and

(b) if so, the stage at which matter stands at present?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) and (b); In its seventh report (1952-53), the Public Accounts Committee *inter-alia* recommended that the audit reports on the accounts of Central Universities should be presented to Parliament. The recommendation was, however, not accepted by Government and their views have been presented to the Committee. In its latest report, the Committee has reiterated its earlier stand and the matter is being reconsidered.

बनारस हिन्दू विश्वविद्यालय में धन का गबन

2738. **श्री सिद्धेश्वर प्रसाद :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नवम्बर, 1963 से जुलाई, 1964 तक की अवधि में बनारस हिन्दू विश्वविद्यालय में लाखों रुपये की राशि का गबन किया गया था;

(ख) यदि हां, तो इस बारे में यदि कोई जांच पड़ताल की गई है, तो उसका क्या परिणाम निकला है; और

(ग) अपराधी पाये गये व्यक्तियों के विरुद्ध क्या कार्यवाही की गई है ?

सूचना और प्रसारण मंत्री (श्री राज बहादुर) : (क) जी नहीं । किन्तु विश्वविद्यालय की पेशगी लेखे की विशेष आडिट रिपोर्ट से नवम्बर, 1963 से जुलाई, 1964 तक की अवधि के दौरान 60,000 रुपये के गबन का पता लगा है ।

(ख) और (ग). अब तक पूरी की गई जांचों के परिणामस्वरूप, पुलिस ने संबंधित खजांचियों पर मुकदमा चालू किया, जो मुअत्तिल कर दिये गये हैं । और आगे जांच की जा रही है ।

Absorption of Emergency Commission Officers

2739. Shri Lakhmu Bhawani: Will the Minister of **Home Affairs** be pleased to state:

(a) whether his Ministry issued a general Circular to the State Governments and other Departments of the Central Government for giving employment to the Officers of the Emergency Services who are likely to be released from Defence Services sometime next year;

(b) if so, the response obtained in this regard from the State Governments and Departments concerned; and

(c) the nature of posts these officers will be offered?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) to (c). A statement is laid on the Table of the House. [*Placed in library. See* No. LT-7457/66].

Wrong Billing for Trunk Calls by Delhi Telephone District

2940. Shri Madhu Limaye:
Shri M. R. Krishna:

Will the Minister of **Communications** be pleased to state:

(a) whether Government's attention has been drawn to the story related in the "Eastern Economist" of the 28th October, 1966 regarding wrong billing for trunk calls by the Delhi Telephone District;

(b) whether similar complaints have also been received from other sources recently;

(c) if so, whether an inquiry has been made into these irregularities and malpractices; and

(d) if so, the results of the inquiry?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) Yes. This was a case of clerical error.

(b) A few complaints like this are received.

(c) and (d). Suitable action is taken when such mistakes come to notice and the same are rectified. Disciplinary action is also taken against staff when justified.

Madhya Pradesh Postal Circle

2741. Shri Hari Vishnu Kamath: Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that although the Headquarters of Madhya Pradesh Postal Circle has been located at Bhopal, it is still without a stock Depot;

(b) if so, the reasons therefor;

(c) whether the deficiency is likely to be made good; and

(d) in what other respects, the Madhya Pradesh Circle Headquarters is still dependent on Nagpur?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) No, there is already a Postal Stores Depot for Madhya Pradesh Circle, but the same is functioning at Nagpur as no suitable accommodation is available, at Bhopal.

(b) and (c). Do not arise.

(d) The following offices of the M.P. Circle continue to function at Nagpur for want of suitable buildings at Bhopal or other important stations in M.P. Circle:

(i) Returned Letter Office

(ii) Telegraph Circle Store Depot.

(iii) Office of the A.E. Telecom. Trg. Centre.

(iv) Office of the A.E. RSAs Trg. Centre.

(v) Office of the A.O.T.R.

Investigation in the matter of Disappearance of P.S.P. Leader of West Bengal

2742. **Shri Hari Vishnu Kamath:**
Shri Surendranath Dwivedy:
Shri Nath Pai:
Shri Hem Barua:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 256 on the 2nd November, 1966 and state:

(a) whether the State Police have concluded their investigation in the matter of missing P.S.P. leader of West Bengal;

(b) if so, with what result; and

(c) if the investigation has been fruitless, whether Government propose to entrust the matter to their own agencies, as was done recently in the case of Shri Purushottam Kakodkar, the Goa Congress President?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) to (c). The investigation of the case has been taken over from the Police by the State C.I.D. The Government of West Bengal have been requested to intimate the results of CID's investigation.

हिन्दी लागू करने वाली समिति

2743. **श्री प० ला० बाजपाल :**
श्री हुकम चन्द कछवाय :
श्री शिंगरे :
श्री यु० द० सिंह :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उनके मंत्रालय ने विभिन्न मंत्रालयों को यह आदेश दिये थे कि वे हिन्दी के अधिकाधिक प्रयोग के लिये हिन्दी लागू करने वाली समितियां बनायें;

(ख) यदि हां, तो उन समितियों को क्या काम सौंपे गये हैं;

(ग) क्या उनके मंत्रालय में भी ऐसी समिति स्थापित की गई है; और

(घ) यदि हां, तो अब तक इसकी कितनी बैठकें हुई हैं और उस समिति ने क्या सिफारिशें की हैं ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) जी हां ।

(ख) इन समितियों को समय-समय पर गृह-मंत्रालय द्वारा हिन्दी के बारे में जारी किये गये आदेशों को पूरी तरह लागू करना होता है ।

(ग) और (घ). गृह मंत्रालय में ऐसी किसी समिति की स्थापना को अभी तक आवश्यक नहीं समझा गया क्योंकि गृह मंत्रालय में अलग से एक विभाग स्थापित है जो हिन्दी के बारे में जारी किये गये आदेशों को लागू करने की दिशा में प्रगति की देखभाल के लिये उत्तरदायी है ।

हिन्दी सहायकों तथा अनुवादकों का सामान्य 'पूल'

2744. **श्री प० ला० बाजपाल :**
श्री हुकम चन्द कछवाय :
श्री शिंगरे :
श्री यु० द० सिंह :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि हिन्दी सलाहकार समिति ने यह सिफारिश की है कि हिन्दी अनुवादकों तथा हिन्दी सहायकों का एक सामान्य 'पूल' बनाया जाये तथा हिन्दी अधिकारियों के पदों पर उनकी पदोन्नति करने के लिये विचार किया जाये; और

(ख) यदि हां, तो इस निर्णय के कब क्रियान्वित किये जाने की संभावना है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) और (ख). हिन्दी सलाहकार समिति ने केवल यह सिफारिश की है कि हिन्दी का काम करने वाले कर्मचारियों का एक समुदाय होना चाहिये । यह सिफारिश विचाराधीन है ।

हिन्दी स्टेनोग्राफर

2745. **श्री प० ला० बारूपाल :**
श्री हुकम चन्द कछवाय :
श्री शिन्करे :
श्री यु० व० सिंह :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हिन्दी सलाहकार समिति ने हिन्दी स्टेनोग्राफरों को अंग्रेजी स्टेनोग्राफरों के संवर्ग में शामिल करने की सिफारिश की है; और

(ख) यदि हां, तो इस सम्बन्ध में क्या निर्णय किया गया है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) यह सिफारिश हिन्दी सलाहकार समिति की उप-समितियों में से एक ने की थी ।

(ख) मामला विचाराधीन है ।

Nagaland Assam Boundaries

2746. **Shri Firodia:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have instituted an enquiry to find out whether or not the Nagas have occupied several thousands acres of land in Assam; and

(b) if so, the results thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) and (b). Enquiries were made in the matter from the Governments of Assam and Nagaland. According to the Government of Assam, about 6000 acres of reserve forests in Assam have been encroached upon by Nagas but according to the Government of Nagaland, certain areas which have been under cultivation by Nagas since long are now being claimed by the Government of Assam. As stated in reply to the Unstarred Question No. 139 in the Lok Sabha on 2-11-66, the Chief Minister, Nagaland, has written to the Prime Minister, inviting attention to this matter and suggesting the appointment of a boundary commission. This matter is under consideration.

Oil Prospecting at Cochin

2747. **Shri Firodia:** Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether Government have concluded an agreement with M|s. Philips Petroleum of U.S.A. for oil prospecting at Cochin;

(b) whether the terms of agreement are considered to be very unfavourable to India;

(c) whether it is also a fact that the price to be paid for crude is much higher, looking to the declining price trends; and

(d) if so, the reasons which compelled Government to conclude such an agreement?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) No.
(b) to (d). Do not arise.

Security of Officers at Parliament Street

2748. **Shri Firodia:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that security and protection to Government and non-Government offices located in

Parliament Street are inadequate to protect them from any mob violence;

(b) whether Government have considered any integrated scheme to give adequate protection to these public institutions; and

(c) if not, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) to (c). Arrangements for security and protection of Government and non-Government buildings and offices located in Parliament Street are made in the light of circumstances and requirements of each situation.

कच्छ सीमा पर पाकिस्तानी राष्ट्र जन की गिरफ्तारी

2749. **श्री शिकरे :**
श्री हुकम चन्द कछवाय :
श्री यु० द० सिंह :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 9 नवम्बर, 1966 के "वीर अर्जुन" समाचारपत्र में प्रकाशित समाचार के अनुसार सुरक्षा सेना ने कच्छ में कोटडा सीमा पर कुछ पाकिस्तानी राष्ट्रजनों को चोरी-छिपे ऊंट पर लाल मिर्च ले जाते हुए गिरफ्तार किया था;

(ख) यदि हां, तो मिर्च कितनी थी और कहां से लाई गई थी; और

(ग) इस सम्बन्ध में सरकार ने क्या कार्यवाही की है ?

गृह-कार्य मंत्री (श्री यशवन्त राव चव्हाण): (क) और (ख). 4 नवम्बर, 1966 को हमारे गश्ती दल द्वारा ललकारे जाने पर कुछ लोग कच्छ जिले में कोटडा सीमा चौकी के निकट एक ऊंट को छोड़ भागे जो अपने ऊपर लादी हुई लाल मिर्च की चार बोरियों के साथ कब्जे में ले लिया गया। यह पता नहीं लग सका कि ये बोरियां कहां से लाई गई थीं। इस बारे में कोई गिरफ्तारी नहीं हुई।

(ग) तस्करी को रोकने के लिए नियमित गश्त की व्यवस्था है। इस विशेष घटना के बारे में जांच कार्यवाही चल रही है।

Strike at Hindustan Teleprinters, Madras

2750. Shri Nambiar: Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that workers in the Hindustan Teleprinters at Madras were on strike from 3rd October to 9th November, 1966;

(b) if so, the reasons therefor;

(c) whether the workers of this factory are given the House Rent Allowance and City Compensatory Allowance as granted to the Central Government Employes; and

(d) the steps taken to settle the dispute?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) Yes, the workers of the Hindustan Teleprinters Limited, Madras, were on strike from the 3rd October to the 8th November, 1966;

(b) Because the Management could not accept the demand of the workers for grant of house rent and city compensatory allowances at the rates prescribed for Central Government employees.

(c) The workers of the Hindustan Teleprinters Ltd. not being Central Government employees, are not entitled to the payment of these allowances. The workers have, however, been allowed House Rent Allowance based on the Madras Government rates, with effect from the 1st March, 1964.

(d) On an assurance given by the Minister of Parliamentary Affairs and Communications that he would per-

sonally look into the demands, the workers of the Hindustan Teleprinters Ltd. called off of the strike on the 9th November, 1966, and resumed duty.

Unification of Cadres of Telegraphists and Clerks

2751. **Shri Gulshan:**
Shri Narasimha Reddy:
Shri Buta Singh:
Shri Ram Sewak Yadav:
Shri Hukam Chand Kachhavaiya:
Shri Kashi Ram Gupta:
Shri S. M. Banerjee:
Shri P. H. Bheel:

Will the Minister of **Communications** be pleased to state:

(a) whether the P. & T. Department introduced a scheme of unification of cadres of Telegraphists and Clerks in Telegraph offices in May, 1962 in pursuance of the statement placed on the Table of the House consequent on Telegraph Enquiry Committee's Report as a step towards improvement in services but later cancelled the same in November, 1963; and

(b) if so, the reasons for the cancellation of the Order?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) and (b). In pursuance of the recommendations of the Telegraph Enquiry Committee, a common cadre of Teletypists in replacement of the cadres of Telegraphists and Clerks in Telegraph Offices was introduced by an order issued in June, 1961. That arrangement resulted in certain practical and administrative difficulties. That common cadre of Teletypists was, therefore, abolished and the *status quo ante* restored by another order issued in November, 1963.

Manning of Desk Points in Telegraph Offices

2752. **Shri Gulshan:**
Shri Narasimha Reddy:
Shri Ram Sewak Yadav:
Shri Hukam Chand Kachhavaiya:
Shri Kashi Ram Gupta:
Shri P. H. Bheel:
Shri Buta Singh:
Shri S. M. Banerjee:

Will the Minister of **Communications** be pleased to state:

(a) whether Government had issued an order for manning of Desk Point in Telegraph Offices by Telegraphists;

(b) whether this order has been withheld restoring the *status quo* even in offices which have implemented it; and

(c) if so, the reasons therefor?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) to (c). The 'Desk Work' in Telegraph Offices, relates to work pertaining to errors and mutiliations etc. of telegrams which are in transit. This work was being handled by clerks. On 30-10-65 administrative orders were issued that Desk Work should be performed by Telegraphists. After the issue of these oders some new factors and administrative difficulties came to light. To enable a more detailed and fuller examination of the case, the orders authorising Telegraphists instead of clerks to handle 'Desk Work' have been held in abeyance and the Telegraph Office clerks have been allowed to continue to perform the work as per *status quo ante*.

नई दिल्ली नगरपालिका

2753. **श्री गुलशन :**
श्री यशपाल सिंह :
श्री प० ह० भील :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार नई दिल्ली नगरपालिका को लोकतंत्रात्मक स्वरूप प्रदान करने का है ताकि उसमें नई दिल्ली के लोगों के प्रतिनिधि भी शामिल हो सकें;

(ख) यदि हां, तो उसके क्या कारण है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) और (ख). इस समय नई दिल्ली नगरपालिका के सदस्यों की नियुक्ति नामांकन द्वारा होती है । यह व्यवस्था सुचारु रूप से कार्य कर रही है, अतः इसमें परिवर्तन करने का कोई विचार नहीं है ।

Plots for Widows Living in Kasturba Niketan, New Delhi

2755. Shri M. M. Haq: Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether some plots of land have been earmarked for allotment to the widows living in the Kasturba Niketan, Lajpat Nagar, New Delhi;

(b) the location of these plots and basis for their allotment to these widows; and

(c) when the actual allotment of these plots will be made?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri D. R. Chavan): (a) No.

(b) and (c). Do not arise.

Fertilizer Plant at Tuticorin

2756. Shri Muthiah: Will the Minister of **Petroleum and Chemicals** be pleased to refer to the reply given to Starred Question No. 327 on the 16th November, 1966 and state:

(a) whether it is a fact that Mr. Harane, Director, Japan Consulting Institute, New Delhi and three other consultants accompanied by the Regional Deputy Director of Industries and Commerce and Mr. Joe Roche visited Tuticorin on the 28th September, 1966 and inspected sites there for the location of a Fertilizer plant;

(b) whether it is also a fact that this Team had discussions about the plant with the Regional Deputy Director of Industries and Commerce and the Chief Engineer of the Tuticorin Harbour Project; and

(c) if so, the observation of the team and Government's reaction thereto?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) to (c). Mr. Harane, Director, Japanese Consulting Institute, New Delhi, with three others arrived at Tuticorin on 28-9-1966. They visited the Harbour Project and inspected areas for the probable location of a fertilizer plant on 29-9-1966. Te Regional Deputy Director made necessary arrangements for their visit to the Harbour Project. They held no technical discussions and did not express any views.

Kidnapping of a Boy in New Delhi

2757. Shri Thimmaiah: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the attention of Government has been drawn to the kidnapping of a boy by a couple from Tansen Marg, a very busy New Delhi locality, recently;

(b) if so, whether Government have investigated into the matter and traced the culprits;

(c) whether it is a fact that this type of lawlessness in New Delhi is on the increase; and

(d) if so, the steps taken by Government to curb this lawlessness?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) and (b). A boy was kidnapped near Mandi House on 3-11-66 and efforts are being made to trace the culprits.

(c) 67 cases of kidnapping were reported to the police in South District during the period from 1st January to 15th November, 1966 as against 62 during the corresponding period of the preceding year.

(d) Police patrolling has been intensified to prevent such incidents.

हिन्दी संस्थाओं को अनुदान

2758. श्री राजदेव सिंह : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) चालू वित्तीय वर्ष में अब तक हिन्दी संस्थाओं को अलग अलग कितना अनुदान दिया गया है;

(ख) क्या उन को समान आधार पर अनुदान दिया गया है;

(ग) यदि नहीं, तो उसके क्या कारण हैं; और

(घ) क्या भविष्य में इनको समान आधार पर अनुदान दिया जायेगा ?

शिक्षा मंत्रालय में उपमंत्री (श्री भक्त दर्शन) : (क) अपेक्षित सूचना का एक विवरण सभा पटल पर रखा जाता है ? **[पुस्तकालय में रखा गया। देखिये संख्या एल टी-7458/66]**

(ख) अनुदान, सरकार द्वारा अनुमोदित योजनाओं पर होने वाले खर्च के 75 प्रतिशत के एक जैसे आधार पर दिये जाते हैं।

(ग) और (घ). प्रश्न नहीं उठता।

Representations by the Employees of Settlement Organisation

2759. Shri Sarjoo Pandey: Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) the number of representations of employees pending in the office of:

(i) Regional/Assistant Settlement Commissioners;

(ii) Chief Settlement Commissioner; and

(iii) Department of Rehabilitation from December, 1964 to October, 1966 separately; and

(b) the reasons of pendency of each representations and the time likely to be taken in their disposal?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri D. R. Chavan): (a) Nil.

(b) Not applicable.

Engineering Colleges of Aligarh Muslim University and Banaras Hindu University

2960. Shri Maurya:
Shri Bagri:

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 1497 on the 16th November, 1966 and state:

(a) whether some posts of Senior Professors were also sanctioned in the Engineering Colleges of Aligarh Muslim University and Banaras Hindu University under the development schemes of these Universities in the Third Five Year Plan;

(b) if so, whether it is a fact that these posts have not so far been filled up;

(c) whether, in view of the present need for economy, Government propose to defer these appointments, especially in Science subjects for which advanced teaching facilities already exist in these Universities; and

(d) if not, the reasons therefor?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) Yes, Sir. One post of Professor for the College of Mining & Metallurgy in Banaras Hindu University, and six for the engineering college of Aligarh Muslim University were sanctioned during the III Plan.

(b) Except one post of professor in Mechanical Engineering at the Aligarh Muslim University, other posts have not so far been filled up.

(c) and (d). As the posts sanctioned are considered essential for the

proper development of these colleges, it is neither proposed to withdraw the sanctions nor defer appointments to these posts. The posts, however, could not be filled for want of suitably qualified candidates.

Tiruvannoor Spinning and Weaving Mills

2761. Shri A. K. Gopalan:
Shri M. N. Swamy:
Shri P. Kunhan:
Shri Laxmi Dass:
Shri Dinen Bhattacharya:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether Government are aware that Tiruvannoor Spinning and Weaving Mills, Tiruvannoor (Kerala) have not paid the Provident Fund dues to the authorities concerned;

(b) whether it is also a fact that the workers have not been paid wages by the above Company; and

(c) if so, the steps taken by Government to punish the management and to give relief to the workers?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): (a) to (c). The information is being collected and will be laid on the Table of the House.

Telegrams Transmitted through Gauhati Telegraph Office

2762. Shri P. C. Borooah: Will the Minister of **Communications** be pleased to state:

(a) the number of telegrams received and transmitted through the Gauhati Telegraph Office to places outside Assam during the year 1965 and upto the 15th November, 1966;

(b) the number of telegrams sent by post from Gauhati Telegraph Office to places outside Assam during the above period and the reasons therefor; **and**

(c) the steps taken to improve the transmission system of telegrams from Assam area to the rest of the country?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) and (b). The information in the form of a statement is placed on the Table of the Sabha. Disposal of telegrams by post was on account of circuit interruptions.

(c) The terrain conditions of Assam being difficult the means of communications suffered adversely and efforts are being made to strengthen them. Calcutta-Shillong-Gauhati Micro-wave link has been inaugurated on 18th October, 1966. This system will hardly be affected by climatic and man-made interference as it normally and frequent happens on open wire land lines. The most important advantage of this scheme would be that a large number of circuits can be given between stations in Assam and stations outside. The telegraph service will improve by the use of Micro-wave links. The recent inauguration of the telex service at Gauhati has already introduced another new facility in Assam. The telex subscribers at Gauhati can get automatic access by dialling, between each other in the same town or to telex subscribers in other parts of the country and exchange written messages.

STATEMENT

TELEGRAMS TRANSMITTED THROUGH GAUHATI TELEGRAPH OFFICE

	No. of telegrams transmitted through Gauhati Telegraph Office outside Assam.	No. of telegrams sent by post from Gauhati Telegraph Office to places outside Assam.
In the year 1965	13,39,915	39,247
Up to 15th Nov. in the year 1966	12,47,610	1,28,271

Sub-Post Office at Azamnagar, Bihar

2763. Shri Priya Gupta: Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that a teleprinter has been installed at Azamnagar in Katihar Sub-Division in Bihar in anticipation of conversion of Sub-Post Office into Head Post Office;

(b) whether it is also a fact that there is no telephone connection between Azamnagar block Headquarters and Sub-Divisional and District Headquarters; and

(c) if so, whether Government propose to utilize the teleprinter communication system till conversion of Sub-Post Office into Head Post Office and make early attempt to convert the Post Office for which a building is also available?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) No. Azamnagar is only an extra departmental Branch Post Office and there is no case for its conversion into a sub-office or head post office at present.

(b) Yes.

(c) Does not arise.

Additional Pay to P.Ss. and Stenos.

2764. Shri Ram Sewak Yadav:
Shri Yashpal Singh:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 4271 on the 7th September, 1966 and state:

(a) whether Government have since taken any decision regarding the grant of additional pay to Private Secretaries and Stenographers; and

(b) if not, when a final decision is likely to be taken in this regard?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Not yet, Sir.

(b) Shortly.

Illegal Infiltration of Pakistanis into Assam

2765. Shri P. C. Borooah:
Shrimati Jyotsna Chanda:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether any more Pakistani illegal infiltrators have been rounded in Nowgong and other border districts of Assam in addition to over 300 Pakistani infiltrators detected recently in Goal para, Garo Hills, Cachar and Khasi and Jaintia Hills bordering East Pakistan; and

(b) if so, the number of such illegal infiltrators and the steps being taken to comb out the areas bordering East Pakistan of the infiltrators?

The Minister of Home Affairs (Shri Y. B. Chavan): (a) and (b). Eighty-one illegal reentrants were detected in Nowgong, Goalpara, Garo Hills, Cachar, Kamrup, Darrange and Lakhimpur during November and all of them were sent back. Measures for detecting such entry have been tightened and more police posts have been opened, wherever necessary besides other measures.

Central Engineering Services Examination

2766. Shri M. N. Swamy: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the candidates who got highest marks in the written test of the Central Engineering Services class I for which an examination was held in 1965, could not be finally selected because of the weightage given in interview; and

(b) if so, the reasons for this weightage being given for interview?

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): (a) On the assumption that the

question relates to the Combined Engineering Services Examination held in 1965, the reply is in the negative. The rules for the said examination did not prescribe any minimum qualifying marks for the personality test.

(b) Does not arise.

Family Planning Propaganda

2767. Shri Hari Vishnu Kamath: Will the Minister of **Home Affairs** be pleased to state:

(a) whether his attention has been drawn to the report of the Justice Barman Committee on Student disturbances in Orissa last year, wherein it has been strongly urged that family planning propaganda and publicity should be banned;

(b) if so, whether Government have accepted the said recommendations; and

(c) if not, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) to (c). We have requested Government of Orissa who appointed the Committee, to let us have full details regarding the recommendations of the Committee and the action taken by the Government in this regard.

दिल्ली में मकानों के गिरने के बारे में जांच

2768. **श्री प्रकाशवीर शास्त्री :**
श्री बागड़ी :
श्री राम सेवक यादव :
श्री मधु लिमये :
श्री मौर्य :
श्री हुकम चन्द कछवाय :
श्री प्रिय गुप्त :
श्री प० ला० बारूपाल :
श्री अल्वारेस :
श्री काशीराम गुप्त :
श्री जगदेव सिंह सिद्धान्ती :
श्री उमानाथ :
श्री बड़े :
श्री बृज राज सिंह :
श्री वि० च० चटर्जी :
डा० मा० श्री० अणे :

क्या गृह कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 15 अगस्त, 1966 को दिल्ली में मकानों के गिरने के बारे में जांच करने के लिये नियुक्त किये गये आयोग के समक्ष सरकार का कोई प्रतिनिधि उपस्थित नहीं हुआ है;

(ख) क्या आयोग ने सरकार से आयोग के समक्ष अपना प्रतिनिधि भेजने के लिये कहा था;

(ग) सरकार के प्रतिनिधि द्वारा अब तक आयोग के समक्ष उपस्थित न होने के क्या कारण हैं; और

(घ) क्या सरकार ने आयोग की सहायता करने के लिये कुछ किया है ताकि जांच ठीक तरह से हो सके और यदि हां, तो उसका ब्यौरा क्या है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल): (क) से (घ). दिल्ली में 15 अगस्त 1966 को तीन मकानों के गिरने के कारणों की जांच करने के लिये दिल्ली के मुख्य आयुक्त (अब उपराज्यपाल) द्वारा जांच आयोग अधिनियम, 1952 (1952 का 60वां) की धारा 3 के अधीन 26 अगस्त, 1966 को एक अधिसूचना द्वारा जांच आयोग नियुक्त किया गया। जांच आयोग ने दिल्ली के उप आयुक्त से इस बात पर विचार करने के लिये कहा है कि क्या प्रशासन का प्रतिनिधित्व करने के लिये किसी को पेश होना चाहिये और उनके अनुरोध पर प्रशासन द्वारा विचार किया जा रहा है। जांच आयोग ने जो सहायता मांगी थी वह दे दी गई है। जांच आयोग की इच्छानुसार विभिन्न समाचार-पत्रों

सूचनाएं प्रकाशित की गई । और भी जो सहायता आवश्यक होगी वह दी जायगी ।

Delhi-Himachal Pradesh State Civil Service

2969. Shri Pratap Singh:
Shri Hem Raj:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that Himachali Officers have not been included in the Delhi-Himachal Pradesh State Service Cadre;

(b) if so, whether it has been done by re-opening the initial constitution;

(c) whether it is also a fact that the initial constitution of services has never been re-opened before;

(d) if so, the special reasons for making the departure in this particular case; and

(e) whether it is a fact that this re-opening of the initial constitution will adversely affect the interest, of the Officers already included in the Cadre?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) to (e). The Delhi and Himachal Pradesh Civil Service was constituted on the 15th March, 1961 and was extended to the Andaman and Nicobar Islands on the 1st December, 1965. 31 officers of the Himachal Pradesh Administration were appointed to this Service at its initial constitution. The initial constitution of the Service has not been re-opened in the past and it is also not proposed to reopen it. It is proposed to make some appointments to the Delhi-Himachal Pradesh and Andaman & Nicobar Islands Civil Service by transfer of Civil Service officers of other States with a view to filling the gap between the authorized permanent strength of the Service and its actual strength and also providing experienced officers to the Service. Though the proposed appointments of State Civil Service officers of other States to the Delhi, Himachal Pradesh and Andaman and Nicobar Islands Civil Service, may affect the related seniority of some of the existing officers of the Cadre. The induction of experienced officers from other States would improve the stability and efficiency of the cadre.

Import of Sulphur

2770. Shri Yashpal Singh: Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether India is importing sulphur in large quantities;

(b) if so, the quantities imported during the last three years; and

(c) efforts made during these three years to tap the indigenous resources?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes.

(b) Quantities imported during the last three years:—

1963-64	232756 tonnes
1964-65	278245 tonnes
1965-66	300011 tonnes

(c) There are no known resources of elemental sulphur available in the country. However, efforts are being made to substitute sulphur requirements to some extent, if not completely, with alternative raw materials indigenously available, viz. pyrites, sulphurous gases available from non-ferrous metal smelter plants etc.

Specialised Training of Engineers under C.S.I.R.

2771. Shri Shree Narayan Das: Will the Minister of **Education** be pleased to state:

(a) the total amount provided in the Fourth Five Year Plan for the specialised training of engineers in National Laboratories/Institutes functioning under the auspices of the Council of Scientific and Industrial Research;

(b) the total expenditure incurred for the purpose during the Third Five Year Plan period;

(c) the number of engineers who have so far been given this training during the Third Plan Period; and

(d) the number of engineers who, after being given this specialised training, have left the service of Government or public undertakings?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) and (b). The Council of Scientific and Industrial Research has no regular scheme for specialised training of engineers. However, short term specialised training|refresher courses in engineering are conducted in some of the National Laboratories|Institutes. Such training|refresher courses form part of the programme of the Laboratory|Institute concerned and no funds are provided for this purpose separately.

(c) and (d). Do not arise.

सोन नदी परियोजना का नक्शा

2771. श्री विभूति मिश्र :
श्री क० ना० तिवारी :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान पटना से प्रकाशित होने वाले समाचार पत्र "इंडियन नेशन" दिनांक 14 सितम्बर 1966 में "दी मैप आफ सोन रिवर प्रोजैक्ट हैज गौन टू पाकिस्तान" (सोन नदी परियोजना का नक्शा पाकिस्तान के हाथ में पहुंच गया है) शीर्षक के अन्तर्गत छपे समाचार की ओर दिलाया गया है; और

(ख) यदि हां, तो इस बारे में सरकार की क्या प्रतिक्रिया है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : (क) जी हां।

(ख) बिहार सरकार द्वारा की गई जांचों से पता चलता है कि उक्त नक्शा राज्य सरकार के एक अधिकारी के कब्जे से नदी में गिर कर खो गया था और वह पाकिस्तान नहीं भेजा गया था।

Socio-Education Centres

2771-B. Shri Sivamurthi Swamy: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Government have started some socio-education Centres to bring the civic sense among the people;

(b) if so, the number and names of the places where these Centres have been working;

(c) whether there is a programme to increase the number of such centres; and

(d) if so, the details thereof?

The Minister of Information and Broadcasting (Shri Raj Bahadur): (a) No, Sir.

(b) to (d). Do not arise.

Consumer Price Index

2771-C. Shri Gulshan: Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state the consumer price index number for the months of August, September and October, 1966?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): The all India Average Consumer Price Index Number for Working Class (General) on base 1949—100 was 190 for the month of August, 1966 and 191 for September, 1966. The Consumer Price Index Number for October, 1966 has not yet been published.

12.25 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED DECISION TO WITHDRAW PARTICIPATION OF THE INDIAN CONTIGENT IN THE FORTHCOMING ASIAN GAMES

Dr. Karni Singhji (Bikaner): Sir, I call the attention of the Minister of

Education to the following matter of urgent public importance and I request that he may make a statement thereon:—

> "Reported decision of the All India Council of Sports and Indian Olympic Association to withdraw participation of the Indian contingent in the forthcoming Asian Games."

Shri M. R. Krishna (Peddapalli): Sir, before the Minister makes his statement, I want to seek one clarification. I had also sent in a Calling Attention Notice and it was addressed to the Ministry of Finance. The Education Ministry is as helpless as the Indian Olympic Association or the All India Council of Sports, because the recommendations of the All India Council of Sports were accepted by the Ministry of Education and forwarded to the Ministry of Finance. Now, if the Education Ministry is trying to defend the Ministry of Finance it will not be doing any justice.

Mr. Speaker: How can I prevent them from defending anybody?

Shri M. R. Krishna: Sir, don't you see any reason in what I say? My Calling Attention Notice was addressed to the Ministry of Finance.

The Minister of Information and Broadcasting (Shri Raj Bahadur): Of course, Sir, the Ministry of Education was in sympathy with the recommendations of the All India Council of Sports. Nevertheless, it was the Speaker who ruled that the Ministry of Education should answer the Calling Attention Notce (*Interruptions*).

Shri M. R. Krishna: Sir, it is not that I am talking something trash. Please listen to me.

Mr. Speaker: I have listened to him. His name is included here. What more does he want?

Shri M. R. Krishna: Sir, the Ministry of Education has already recommended the contingent to the Ministry of Finance. It is the Ministry of Finance which has brought it down. Therefore, it should be the Ministry of Finance which should answer this and from that we will be able to know whether the Finance Ministry is right or wrong.

Mr. Speaker: Let me proceed. Let us hear what the Minister has to say.

Shri S. M. Banerjee (Kanpur): Sir, you have read the statement. The statement is here.

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): Sir, before I read the statement, I want to seek your permission to make some slight correction in the statement already circulated. The 5th Asian Games are scheduled to be held in Bangkok from December 9 to 20, 1966. In this connection, the Indian Olympic Association which is responsible for sponsoring Indian Contingents for participation in international games, had originally proposed a contingent of 151 persons to be sent to Bangkok. Their proposal was considered by the All India Council of Sports which advises the Ministry of Education in all matters concerning games and sports, in September, 1966 and the Council advised the Indian Olympic Association to bring down the number of players and officials to about 80-100, nearer 80 than 100, to save expenditure in rupees and foreign exchange.

The Indian Olympic Association even in their revised proposals recommended a contingent of 135 persons. After that the Standing Committee of the All India Council of Sports, after discussing the matter with the office-bearers of the Indian Olympic Association, recommended a contingent of 117 persons. Subequently, as a result of further discussions held between the President, Indian Olympic Association, President, All India Council of Sports and the Ministry of Education, the size of the contingent was further reduced to 105, including players, officials, delegates etc.

[Shri Bhakt Darshan]

That final proposal was very carefully examined from foreign exchange angle in the Ministry of Finance and it was found that the Government would not be in a position to release foreign exchange for more than 81 persons. The President, Indian Olympic Association, was therefore, informed of this decision and was requested to restrict the size of the contingent to 81 persons. However, it seems that the Indian Olympic Association is not prepared to accept the reduced size of the contingent and so they have announced withdrawal of India's participation from these games.

The Ministry of Education has tried its level best to prevail upon the Indian Olympic Association to accept the reduced size of the contingent, keeping in view our foreign exchange difficulties; but the Indian Olympic Association does not see its way in accepting this suggestion.

India's non-participation in this year's Asian Games, will no doubt cause disappointment to the sportsmen in the country and to the sports-loving community in India, Thailand and other countries; but keeping in view our foreign exchange limitations, we cannot afford to provide for a contingent of more than 81 persons.

The Government's offer to send a contingent of 81 persons is still open. We would therefore, once again appeal to the Indian Olympic Association to accept it in the true spirit of sportsmen.

Dr. Karni Singhji: May I know if the Government realises the immense loss of India's prestige in the international sports world if we were not to enter the Asian Games, India being the originator of the games and when the first of the series were held in Delhi, and the reason for Government's rigid attitude not to consider the Olympic Association's suggestion to include a contingent of 105 sportsmen representing the cream of India's youth, thereby disappointing not only the contestants but also millions of other sports-loving citizens of India, the extra foreign exchange requirement being a paltry sum of £1,000, when more than such sums are wasted on non-essential delegations?

Shri Raj Bahadur: We are in entire sympathy and even in accord with the sentiments expressed by the hon. Member. But may I submit for the consideration of the House that last time when this country participated in the Asian Games in Jakarta four years ago the total complement allowed was 81, which was willingly accepted. Because of our foreign exchange difficulties we thought that this time also we could retain the old figure of 81. That was the reason which largely weighed with Government in sanctioning that number.

Shri Shivaji Rao S. Deshmukh (Parbhani): Is there birth control in the sports world also so that there could be no increase from 81 to 105 within four years?

श्री यशपाल सिंह (कैराना) : जिसे यह ये कल्चरल प्रोगराम कहते हैं, साल भर में उन पर करोड़ों रुपया खर्च होता है और उन के बारे में कोई फ़ारेन एक्सचेंज की डिफ़ीकल्टी सामने नहीं आती है । इस तरह की हरकतों से खुद सरकार का सिर नीचा होता है और विदेशों में हमारी निष्प्रभता सिद्ध होती है। क्या सरकार ने यह सोचा है कि कि इस सम्बन्ध में फ़ारेन एक्सचेंज की जो दिक्कत है, उस को फ़ौरन दूर किया जाये ? क्या सरकार ने इस बात पर भी ग़ौर किया है कि फ़ारेन एक्सचेंज देने का आफ़िस और सेक्शनिंग एथारिटी एक होनी चाहिये, अलग अलग नहीं होना चाहिए ?

श्री राज बहादुर : माननीय सदस्य काफ़ी विद्वान हैं और वह जानते हैं कि "कतरा कतरा शवद दरियाये" हम बून्द बून्द बचा कर ही फ़ारेन एकसचेंज को बचाने की कोशिश करते

हैं। मैं उन को यकीन दिलाना चाहता हूं कि अभी भी इस बात की कोशिश की जा जा रही है कि किस तरह इस मुश्किल को हल किया जाये।

Shri M. R. Krishna: This youthful Government, which is spending a lot of money on student discipline and understands the importance of international understanding and co-operation, why it has not thought it fit to encourage sportsmen and sports by allowing that contingent to go to an Asian country and participate in the Asian games to develop international understanding?

Shri Raj Bahadur: There is not the slightest difference of opinion about the objective to be achieved. We extremely regret that our country may not be in a position to participate in the Games. But we still hope that perhaps with some persuasion, some discussion and some adjustment it may be possible for them to participate.

Mr. Speaker: Shri S. M. Banerjee.

Shri M. R. Krishna: Sir, I want to ask one more question.

Mr. Speaker: I am sorry, only one question is allowed.

Shri M. R. Krishna: If I had known that, I would have asked the other question. I may be permitted to ask one more question.

Mr. Speaker: I am sorry.

Shri S. M. Banerjee: It is mentioned in the statement:

> "The Government's offer to send a contingent of 81 persons is still open. I would, therefore, once again appeal to the Indian Olympic Association to accept it in the true spirit of sportsmen."

I want to know whether the hon. Minister is aware that in 1964 or 1965 the businessmen of the country who wanted to go abroad were given foreign exchange to the tune of Rs 2·85 crores for merely visiting and sight-seeing. In view of that, may I know whether they will try to improve the number from 81 because the number of athletes has also increased during the last four years? Will they reconsider the whole matter and see that the contingent goes there to keep the good name of India?

Shri Raj Bahadur: I am not at all aware of the astronomical figure of Rs. 2 crores-and-so-many-lakhs.

Shri S. M. Banerjee: The Finance Minister made the statement here in this House.

Shri Raj Bahadur: It is not a sin not to be aware. I do not know. But I do not also know what is the relevance between the two. I think, this matter has to be decided on its own merits.

Shri S. M. Banerjee: For a businessman you will give everything.

Shri Joachim Alva (Kanara): While warmly commending the Finance Minister in permitting such a large number of 80 persons to go abroad when we have got this grave financial difficulty, may I know what power the Government of India possesses in controlling a body like the Olympic Association which in the name of India is preventing 80 persons representing us abroad and depriving the founder country like India of representing us in the Games and what steps Government has taken to put a ten-year programme of sports like hockey, ricket, football, volleyball etc., so that the reactionary forces of maharajas and super-maharajas—with apologies to Maharaja Karni Singhji—and officials may be cut off? A Deputy Secretary, who is a PRC and who is going, is also cut off. There is an unholy alliance of these forces.

Shri Raj Bahadur: I am sure that the House will agree with me that on the national plane every element in the society, maharajas included, should be free to participate. Therefore, we cannot really say that this committee or that committee is not good. I would say that our team is constituted

[Shri Raj Bahadur]

of some of the best sportsmen and we have got to give them the fullest recognotion and appreciation for that. We should try to adjust the differences as far as possible and we will try to persuade them as best as we can.

12.37 hrs.

RE: CALLING ATTENTION NOTICE (*Query*)

Mr. Speaker: Papers to be laid on the Table.

Shri A. K. Gopalan (Kasergod): Sir I have given a calling-attention notice on a matter of very urgent public importance. It is concerning Kerala which is under the President's rule. All engineers in Kerala have given notice of a strike because the Governor refused an interview with them. When the Governor of a State, which is under President's rule, refuses to see them, they have given notice of a strike. It affects all the engineers of Kerala. It is not a small thing. What will happen if this takes place? So, at least there should be some statement. For more than one year Kerala is under President's rule and they cannot represent anything. The Governor, the Head of the State, does not even allow an interview.

Mr. Speaker: As a leader, Shri Gopalan must realise that I have requested many times that in this manner it should not be raised.

An hon. Member: What could be done then?

Mr. Speaker: He might tell me and I will ask the Minister if he can make a statement.

Shri A. K. Gopalan: I am only requesting you because it is very important.

Shri Nambiar (Tiruchirapalli): We have only two more days.

Mr. Speaker: How can I help it?

Shri Nambiar: Will you persuade the Minister to accept it tomorrow?

श्री बागड़ी (हिसार) : अध्यक्ष महोदय, श्री प्रभुदत्त ब्रह्मचारी के बारे में यह जो आया है, इस को सभा-पटल पर रखने की इजाजत दीजिए। जेल में उन की हालत खराब है।

अध्यक्ष महोदय : इस तरह टेबल पर कागजात नहीं रखे जाते हैं।

श्री बागड़ी : इस में क्या एतराज है?

श्री हुकम चन्द कछवाय (देवास) : अध्यक्ष महोदय, जब सरकार ने श्री शंकराचार्य को छोड़ दिया है, तो उस ने श्री प्रभुदत्त ब्रह्मचारी को क्यों पकड़ रखा है। उन को भी छोड़ देना चाहिये। उन की गिरफ़्तार ———

Mr. Speaker: I am asking Shri Kachhavaiya again and again that he should not continue in this manner.

12.39 hrs.

PAPERS LAID ON THE TABLE

NOTE TO CHINESE EMBASSY

The Minister of External Affairs (Shri M. C. Chagla): (Sir, I beg to lay on the Table a copy each of the following papers:—

(1) Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India on the 25th November, 1966. [*Placed in Library. See* No. LT 7443/66].

(2) Note given by the Ministry of Foreign Affairs, Peking to the Embassy of India in China, on the 15th September, 1966. [*Placed in Library, See* No. LT-7444/66].

Shri Hari Vishnu Kamath (Hoshangabad): Sir, I wish to ask for a clarification of this item No. 4. It is a trifle baffling to me at any rate. Item 4 refers to two notes—one by the Ministry of External Affairs, Government of India, to the Embassy of China

and the other note given by the Ministry of Foreign Affairs, Peking, to the Embassy of India in China. Now, it is a little incomprehensible to me as to why the first note is dated 25th November, 1966 and the second 15th September, 1966. Why is there this strange chronological order? The first note comes later than the former note. What is the connection between the two? Is there any connection at all?

Mr. Speaker: Is that a point?

Shri Hari Vishnu Kamath: Only a clarification. If one is a reply to the other then the latter must follow the first in its proper order. It is a trifle baffling to me. They should be more careful about this.

Shri S. M. Banerjee (Kanpur): May I invite your kind attention to the newspaper, *Patriot*, which carries the news "Peking told to put its house in order. Sharp note by India". The same note which the hon. Minister has put on the Table of the House just now, was laid on the Table of the other House yesterday. There, we find, the questions were allowed. So, I would like to know from you whether questions will be allowed here on this.

Mr. Speaker: No, not at this moment. Shri Shahnawaz Khan.

Shri S. M. Banerjee: One or two questions may be allowed.

श्री प्रकाशवीर शास्त्री (बिजनौर): अध्यक्ष महोदय, मैं यह कहना चाहता हूं कि संविधान की धारा 356 के अन्तर्गत मेरे सहित संसद् के 8 और सदस्यों ने एक पत्र आप को लिखा है कि बिहार में जो धड़ाधड़ मौतें शुरू हो गई हैं उस को ध्यान में रखते हुए और प्रशासन के फ़ेल होने की स्थिति को ध्यान में रखते हुए बिहार में राष्ट्रपति शासन लागू होना चाहिए, इस के संबन्ध में विचार करने के लिए समय दिया जाय। आप के व्यक्ति ने मुझे सूचना दी है कि आपने इसकी स्वीकृति नहीं दी है। मैं जानना चाहता हूं कि क्या कारण है कि आप ने स्वीकृति नहीं दी जब पूरा प्रांत मौत के मुंह में जा रहा है, ऐसी भयंकर स्थिति होती जा रही है?

अध्यक्ष महोदय: अब आप बैठ जाइए मैं अर्ज कर देता हूं। आप ने पांच बजे नोटिस दिया। 7 बजे तक वहां बहस होती रही, आप इस वक्त आये नहीं। यहां वह हम डिस्कस करते रहे।

श्री प्रकाशवीर शास्त्री: वह अलग चीज है।

अध्यक्ष महोदय: वह मैं ने बाकायदा डिस्कशन सा करा दिया।

श्री बड़े (खारगोन): मैं तो सात आठ दफ़ा खड़ा हुआ। आपने ने कहा कि कालिंग अटेंशन इस में ज्यादा नहीं हो सकता।

श्री हुकम चन्द कछवाय (देवास): उस के बाद जो समाचार हमें मिले उस के आधार पर हमने पत्र लिखा है।

AUDITED ACCOUNTS OF EMPLOYEES' STATE INSURANCE CORPORATION FOR 1964-65 UNDER EMPLOYEES' STATE INSURANCE ACT, 1948, ETC.

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri Shahnawaz Khan): I lay on the Table—

(1) A copy of the Audited Accounts of the Employees' State Insurance Corporation for the year 1964-65 under section 36 of the Employees' State Insurance Act, 1948. [*Placed in Library. See* No. LT-7445/66].

(2) A copy of the Main Conclusions of the First Session of the Industrial Committee on Engineering Industry held at Bombay on the 27th August, 1966. [*Placed in Library. See* No. LT-7446/66].

(3) A copy of the Annual Report on the activities of the Coal Mines Labour Welfare Orga-

[Shri Shahnawaz Khan]

nisation for the year 1964-65. [*Placed in Library. See* No. LT-7447/66].

(4) A copy of the Metalliferous Mines (Amendment) Regulations 1966, published in Notification No. G.S.R. 1739 in Gazette of India dated the 19th November, 1966, under sub-section (7) of section 59 of the Mines Act, 1952. [*Placed in Library. See* No. LT-7448/66].

(5) A copy of the Employees' Provident Funds (Seventeenth Amendment) Scheme, 1966, published in Notification G.S.R. 1714, in Gazette of India dated the 12th November, 1966, under sub-section (2) of section 7 of the Employees' Provident Funds Act, 1952. [*Placed in Library. See* No. LT-7449/66].

Shri S. M. Banerjee: I would like to ask a clarification about item 5(2) regarding a copy laid of the Main Conclusions of the First Session of the Industrial Committee on Engineering Industry held at Bombay on the 27th August, 1966. I would like to know from the Minister, whether it is a fact that this particular Committee discussed the matter that the mill-owners in this industry were not paying the interim relief recommended by the Engineering Industry Wage Board and, if so, whether this has now been paid by them.

Mr. Speaker: How can that be gone into at this moment when the papers are being laid? He might study them and then see what it is.

INDIAN FOREST SERVICE (APPOINTMENT BY PROMOTION) REGULATIONS, 1966

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): I lay on the Table a copy of the Indian Forest Service (Appointment by Promotion) Regulations, 1966, published in Notification No. G.S.R. 1774 in Gazette of India dated the 26th November, 1966, under sub-section (2) of section 3 of the All India Services Act, 1951. [*Placed in Library. See* No. LT-7450/66].

Shri Hari Vishnu Kamath: Sir, I raised this point on the last day of the last session. This pertains to the Indian Forest Service. At that time, I had suggested that—in the British days, it was different; we had only the Indian Foreign Service—now we have got another service, the Indian Forest Service, the initials of which are the same, the I.F.S. to avoid confusion, it should be named as the Indian Jungle Service, the I.J.S. (*Interruption*).

Shri D. C. Sharma: (Gurdaspur): My friend always thinks of jungles.

Mr. Speaker: Order, order.

12.42 hrs.

LEAVE OF ABSENCE FROM SITTINGS OF THE HOUSE

Mr. Speaker: The Committee on Absence of Members from the sittings of the House in their Nineteenth Report have recommended that leave of absence be granted to the following members for the periods indicated against each:—

(1) H. H. Raja Yeswantrao M. Mukne	25th July to 7th September, 1966 (Fifteenth Session).
(2) Shri A. Jayaraman	1st to 18th May, 1966 (Fourteenth Session) and 25th July to 2nd September, 1966 (Fifteenth Session).

(3) Raja P. C. Deo Bhanj	.	25th July to 7th September, 1966 (Fifteenth Session) and 1st to 14th November, 1966 (Sixteenth Session).
(6) Shri P. G. Karuthiruman	.	1st November to 2nd December, 1966 (Sixteenth Session).
(5) Maharani Gayatri Devi of Jaipur	.	25th July to 7th September, 1966 (Fifteenth Session).
(6) Shri M.K. Shivananjappa.	.	1st to 27th November, 1966 (Sixteenth Session).
(7) Shri Ghyasuddin Ahmed		1st November to 1st December, 1966 (Sixteenth Session).

I take it that the House agrees with the recommendations of the Committee.

Several hon. Members: Yes.

Mr. Speaker: The Members will be informed accordingly.

12.43 hrs.

RESIGNATION BY MEMBERS

Mr. Speaker: I have to inform the House that Sarvashri Ravi Narayan Reddi, G. Yallamanda Reddy and Y. Eswara Reddy and Shrimati V. Vimla, Devi, elected Members of Lok Sabha from Nalgonda, Markapur, Cuddapah and Eluru constituencies, respectively, in Andhra Pradesh, have resigned their seats in Lok Sabha with effect from the 29th November, 1966, (afternoon).

Some hon. Members *rose*—

श्री हुकम चन्द कछवाय (देवास) : कारण आना चाहिये ।

Mr. Speaker: No reasons are to be given for that. I have not to announce the reasons. I have to announce only their resignation (*Interruption*). They had announced that themselves.

श्री हुकम चन्द कछवाय : वह जो उन्होंने कारण लिखे हैं कि किन कारणों से इस्तीफा दिया है, वह हाउस के सामने आना चाहिये ।

अध्यक्ष महोदय : वह उन्होंने हाउस में खुद कहे थे । .... (**व्यवधान**) ।

श्री हुकम चन्द कछवाय : उन्होंने क्या लिखा है वह तो सदन को बताया जाय . . .**

अध्यक्ष महोदय : यह न लिखा जाय ।

Shrimati Renu Chakravartty (Barrackpore): The whole of the session they were waiting for the Government to say something on the Steel Plant in Andhra Pradesh, but the Government would not agree to a discussion. It is absolutely out of despair and out of the desire to underline the anger of the people of Andhra Pradesh that they have done this. Why should we drive people to this position? (*Interruptions*). You have been seized of this matter by their letter. Therefore, the House should know why such a thing has happened.

Mr. Speaker: At this moment I have only to inform the House of this and I have done that. At this time I cannot take up any other matter.

Shri S. M. Banerjee (Kanpur): May I remind you of what had happened yesterday? Yesterday when this question was raised by Mr. Yallamanda Reddy and Shrimati Vimla Devi.... (*Interruptions*). I am not raising that question. Please hear me. Yesterday when they raised this question about steel plant, we all requested that, if there cannot be any discussion at the fag end of the session, he should at least direct the Minister or the Prime Minister who is avoiding coming to Parliament since many days, to make some statement. So we only request you to direct him to make a statement before this session

**Not recorded.

[Shri S. M. Banerjee]

is over. After all, resignation is the manifestation of anger.

Mr. Speaker: I will ask him.

Shri Shree Narain (Bansi): Any member can resign at his will. The Government has no business with that.

Mr. Speaker: Mr. Krishnamoorthy Rao.

12.47 hrs.

COMMITTEE OF PRIVILEGES

ELEVENTH REPORT

Shri Krishnamoorthy Rao (Shimoga): I present the Eleventh Report of the Committee of Privileges.

श्री मधु लिमये (मुंगेर) : मेरा इस पर प्वाइंट आफ आर्डर है । यह जो 11वीं रपट प्रिविलेजेज कमेटी की हमारे सामने आई है उस को कमेटी के सामने वापस भेज देने का निर्देश आप जारी कर दें । उस के दो कारण हैं ।

अध्यक्ष महोदय : आप उस को लिखकर दीजिए ।

श्री मधु लिमये : वह तो मैं दूंगा ।

अध्यक्ष महोदय : तो इस की नोटिस दीजिए न ।

श्री मधु लिमये : वह नोटिस तो दे दूंगा । लेकिन इसके बारे में मेरी शिकायत है कि कमेटी ने मुझे सुना नहीं है ।..... **(व्यवधान)** मैं एक मिनट में खत्म कर देता हूं । इस के बारे में नियम है ।

अध्यक्ष महोदय : मिस्टर मधु लिमये; आप चाहते हैं कि इस को रीकमिट किया जाय, फिर वापस भेजा जाय । मैंने कहा कि आप लिखकर रीजन दे दें । मैं उस को देख लूं । इस तरह से आप को सुनकर मैं रीकमिट कैसे कर दूंगा ।

श्री मधु लिमये : इस में अहसमति टिप्पणी भी नहीं आयी है । यह तो नियमों के विपरीत है अध्यक्ष महोदय । मैं आप का ध्यान नियम की ओर खींचना चाहता हूं ।

श्री बड़े (खारगोन) : नोट आफ डिसेंट आना चाहिये otherwise it is not a complete report.

श्री मधु लिमये : अध्यक्ष महोदय, आप 303 नियम देख लीजिये ।

अध्यक्ष महोदय : आप नोटिस दे दीजिये ।

श्री मधु लिमये : मैं नोटिस दे दूंगा । लेकिन यह व्यवस्था का प्रश्न है । 303 का (4) आप देखें :

> "(4) Any member of the Select Committee may record a minute of dissent on any matter or matters connected with the Bill or dealt with in the report.
>
> "(5) A minute of dissent shall be couched in temperate and decorous language and shall not refer to any discussion in the Select Committee nor cast aspersion on the Committee.
>
> "(6) If in the opinion of the Speaker a minute of dissent contains words, phrases or expressions which are unparliamentary or otherwise in appropriate, he may order such words, phrases or expressions to be expunged from the minute of dissent."

अब अपना निर्देश 91 देख लीजिये । अभी यहां पर हल्ला हुआ, अध्यक्ष महोदय, कि सलेक्ट कमेटी के बारे में क्यों पढ़ रहा हूं ? लेकिन सेलेक्ट कमेटी के सम्बन्ध में जो नियम हैं, दूसरी कमेटीज के बारे में भी वे लागू होते हैं, इस लिये इस नियम का उल्लेख मैंने किया । अब आपके द्वारा जो निर्देश जारी किये गये हैं उसमें निर्देश 91 देखें :

> "If, in the opinion of the Chairman, a minute of dissent contains words, phrases or expressions

which are unparliamentary, irrelevant or otherwise inappropriate, he may order such words, phrases or expressions to be expunged from the minute of dissent."

इस चीज को लेकर एक दफा यहां पर बहस हुई थी और उस पर आपने यह निर्णय दिया कि फ्रेज यानी वाक्य या शब्दावली का मतलब है कि अगर पूरा अनुच्छेद भी काट दिया जाता है तो वह काट सकते हैं । यह आपका निर्णय है, इसके बारे में मुझे कुछ नहीं कहना है । इस बार प्रिविलेजिज कमेटी और आगे बढ़ गई है और एक सदस्य द्वारा जो असहमति पत्र दिया गया था, उसका एक जुमला, शब्दावली या अनुच्छेद ही नहीं बल्कि उस पूरे असहमति पत्र को काट दिया गया, उन को कह दिया गया कि आप असहमति पत्र ही नहीं दे सकते हैं । इस लिये रूल 303 तथा आपके द्वारा जो निर्देश दिया गया है उसका –91 का– उलंघन हुआ है । इस लिये मेरी आप से प्रार्थना है कि इस रपट को यहां सभा पटल पर रखने की अनुमति न दीजिये ।

अध्यक्ष महोदय : रखने के लिये मैं नहीं रोक सकता, लेकिन आपने जो कुछ कहा है, इस बात पर मैं गौर कर के देख लूंगा कि इस में कौन सी वैलिडिटी है ।

Shri Ranga (Chittoor): What is the actual position? Was any minute of dissent submitted to this report of the Privileges Committee?

Mr. Speaker: I do not know; so, I cannot say.

श्री हरि विष्णु कामत (होशंगाबाद) रिपोर्ट पर चर्चा हो सकती है या नहीं ?

अध्यक्ष महोदय : हां, हां, चर्चा हो सकती है ।

Shri Kapur Singh (Ludhiana): The House is entitled to know this simple truth that a note of dissent was given and it is being excluded on the novel ground now that in the Privileges Committee, no note of dissent can be given at all. And when it is asked why no note of dissent can be given, the argument advanced is that it is not specifically said in the rules. Every democratic process has as one of its postulates this postulate that there might be difference of opinion. Now, to say that there is no specific provision in the rules for a note of dissent in so far as the Committee of Privileges is concerned is the type of argument which has never been advanced in the forum of any democratic assembly. This is the point which the House is entitled to know.

Mr. Speaker: This is the point, and I have followed it. But what decision can I give at this moment when it is just being laid on the Table of the House?

Shri Ranga: The Chairman of the Privileges Committee is here and he can be asked.

Mr. Speaker: The report is being laid on the Table of the House. I have told the hon. Member that he can ask for a discussion on this particular point, and he can ask that time should be allotted for a discussion on this so that he can discuss it, criticise it and then the House can take that decision.

Shrimati Renu Chakravartty (Barrackpore): This matter should be resolved....

Mr. Speaker: I do not know whether there was any minute of dissent.

Shrimati Renu Chakravartty: There was a minute of dissent. We all know it.

Is it not within the rights of Parliament to ask the chairman of this committee who has just laid the report on the Table of the House whether there was any minute of dissent and if so, why he has not included it in the report?

Mr. Speaker: Would the chairman of the Privileges Committee enlighten the House as to what the position is?

Shri Krishnamoorthy Rao: There is no provision in the rules connected with the Privileges Committee for any note of dissent to be given. Of course, Shri Kapur Singh had given a note of dissent, and the Committee then decided on the 7th November, 1966 as follows:

> "The Committee further decided that it was not necessary to call Shri Madhu Limaye again before the Committee to hear him on the matter. The Committee also decided that Sardar Kapur Singh's letter referred to above need not be appended to the report of the committee, as urged by him."

It is according to this decision of the committee that it has not been included.

Shri Hari Vishnu Kamath: I would make a request that if you hold that this decision was in order, which I hope you will not, but even if you do so, I would only request that Members who are desirous of studying or perusing or having a look at the minute of dissent which was later not allowed to be included in the report by the chairman of the committee, may be allowed to do so in your Chamber. at least whoever is anxious to read or peruse it, may be allowed to do so in your Chamber.

Mr. Speaker: I shall allow that.

Shrimati Renu Chakravartty: It is a point of principle that we have got to understand. I know that a minute of dissent is allowed in the Select Committees and we are all allowed to append our minute of dissent.

There are two other very important committees, namely the Public Accounts Committee and the Estimates Committee where also this question has come up of a minute of dissent being given. You will remember that when Shri S. A. Dange was one of the Members of the Estimates Committee this question had come up. At that time that committee also decided that there would be no minute of dissent. Now, again, in another committee, the same question has again been raised, namely, whether a Member can be deprived of his right of dissent and to give a note of dissent to a report of a committee of the House.

This is a very important point which the House has to decide or the Rules Committee has to decide and we have to be very specific in this regard because, after all, in a democracy, one of the essential principles is that every Member, even a Member belonging to a minority, has the right to give a minute of dissent.....

Mr. Speaker: That I have conceded already....

श्री मौर्य (अलीगढ़) : अध्यक्ष महोदय,...

अध्यक्ष महोदय : अब और क्या रह गया है? मैंने कहा है कि इस को लिख कर दे दें, हाउस में उस को डिस्कस कर लेंगे।

श्री मौर्य : सुन तो लीजिये।

Mr. Speaker: I cannot now refuse to allow the Report to be laid on the Table of the House. Is there any rule under which I can do so?

Shri S. M. Banerjee (Kanpur): We are not saying that. You may kindly hear me. Last time also this question was raised. When this report was going to be laid on the Table of the House, we were told or rather informed that this report also did not contain any note of dissent. As far as we know, the note of dissent was couched neither in any intemperate language nor in any indecorous language.

Mr. Speaker: May I ask Shri S. M. Banerjee whether I have the power to refuse it or to reject it and say it cannot be laid on the Table of the House?

श्री मधु लिमये : आपको यह अधिकार है ।

Shri Nambiar (Tiruchurapalli): We would request you to see that the report is placed in full. Now, we have not been given a complete report, because the note of dissent is missing. So, we are asking you to see that the full report with the minute of dissent is laid on the Table of the House.

श्री मौर्य : अध्यक्ष महोदय, जितनी भी कमेटियां बनती हैं, उन के सदस्यों में से आप जिसको हटाना चाहें, हटा सकते हैं, वे आपकी इच्छा के आधार पर ही काम करते हैं, यह व्यवस्था सब कमेटियों में है । दूसरी बात जब किसी कमेटी की रिपोर्ट आती है, जैसे हाई कोर्ट या सुप्रीमकोर्ट का फैसला तब तक पूरा फैसला नहीं माना जाता जब तक कि तमाम जजों के फैसले, चाहे वह मैजोरिटी जजमेंट हो, माइनौरिटी का भी जजमेंट शामिल न हो, तब तक वह पूरा फैसला नहीं माना जाता, ठीक उसी तरह की स्थिति इन कमेटियों की है । जो हां कहता, वह भी उस में शामिल किया जाता है और जो न कहता उसको भी उस में शामिल करना चाहिये, अगर उस में किसी एक सदस्य का विचार शामिल न करें, तो वह रिपोर्ट अधूरी है । इस लिये मेरा अनुरोध है कि जिस सदस्य का विचार इस में शामिल नहीं किया गया है, उस को इस में जरूर लेना चाहिये ।

12.57 hrs.

PUBLIC ACCOUNTS COMMITTEE
SIXTY-FOURTH REPORT

Shri Morarka (Jhunjhunu): I beg to present the Sixty-fourth Report of the Public Accounts Committee on Para 116 of Audit Report (Civil), 1966 relating to the Department of Supply and Technical Development regarding purchase of defective tyres.

12.57½

RE: REPORT OF PRIVILEGE COMMITTEE

Shri Hari Vishnu Kamath (Hoshangabad): There were two other issues which had been referred to the Privileges Committee. One was with regard to *The Statesman*. Are those reports going to be presented to the House during this session?

Shri Krishnamoorthy Rao (Shimoga): Yes, I expect to place two reports before the House tomorrow.

Shri Hari Vishnu Kamath: Where is the time for the discussion of those reports?

Mr. Speaker: That cannot be helped.

12.58 hrs.

PETITION RE. COPPER AND ZINC QUOTAS TO CERTAIN MANUFACTURERS

श्री मधु लिमये (मौर्य) : अध्यक्ष महोदय, मैं "इण्डस्ट्रीयल सेमीज" के निर्माताओं को तांबे और जस्ते के कोटे दिये जाने के बारे में श्री आर० पी० वड़के तथा अन्य व्यक्तियों की याचिका पेश करता हूं ।

Shri S. M. Banerjee (Kanpur): May I make one submission in this connection?

Mr. Speaker: The petition has been presented already. I cannot allow any discussion on it now.

Shri S. M. Banerjee: I know that the petition has been presented. But many a time we do not know what is happening to these petitions.

Mr. Speaker: I cannot take up that petition now and open out a discussion on that.

12.58 hrs.

STATEMENT *RE*: TALKS BETWEEN PRESIDENT OF CZECHOSLOVAKIA AND PRIME MINISTER OF INDIA

The Minister of External Affairs (Shri M. C. Chagla): The statement

[Shri M. C. Chagla]

is about two and a half pages long. Shall I read it out or shall I lay it on the Table of the House. I am in your hands and in the hands of the House?

Mr. Speaker: It might be laid on the Table of the House and I shall get it circulated.

Shri Hem Barua (Gauhati): On a point of clarification. . .;

Mr. Speaker: Let the statement be laid and then I shall have it circulated and afterwards I shall allow some questions.

Shri M. C. Chagla: I beg to lay on the Table a statement on the recent talks held between the President of Czechoslovakia and the Prime Minister of India. [*Placed in Library. See* No. LT-7452/66].

Shri S. M. Banerjee (Kanpur): We have already got the copies of the statement.

Mr. Speaker: In that case, I shall allow one or two questions.

Shri Hem Barua: I just watend a clarification from the hon. Minister. It was reported that the President of Czechoslovakia did not see eye to eye with the Prime Minister of India, so far as India's attitude towards the present Viet Nam trouble or the issue of Viet Nam was concerned. But the communique issued jointly by the President of Czechoslovakia and the Prime Minister of India says that there has been complete accord between the two, namely the Prime Minister of India and the President of Czechoslovakia in all matters. If so, may I know whether Shri M. C. Chagla does not consider this to be an intellectual dishonesty in international affairs that when there was no accord the communique says that there was complete accord?

Mr. Speaker: First we have to find out whether there was anything to that effect.

13 hrs.

Shri M. C. Chagla: I do not know why my hon. friend says that there was intellectual dishonesty and there was no accord. Both Czehoslovakia and India were in complete agreement that for the purpose of bringing about a peaceful settlement of the Vietnam problem, the first thing necessary was an unconditional cessation of bombing by the United States. There was complete accord on that. I do not know where from he got the information that there was no accord.

Shri Hem Barua: What about the withdrawal of Chinese forces from Vietnam?

Mr. Speaker: Shri Inderjit Gupta:

Shri Indrajit Gupta (Calcutta South West): Is it a fact that during the talks with President Novotny, it was revealed that Czehoslovakia is unwilling or hesitant to give any further economic aid to us in view of the fact that apparently a very large amount of credit which they had pledged for our Third Plan has remained unutilised by our Government?

Shri M. C. Chagla: No; no such complaint was made. On the contrary, Czehoslovakia was only too anxious further to help us in our industrial and economic development.

Shri Indrajit Gupta: Is it true that a large amount of the credit remains unutilised?

Shri M. C. Chagla: That does not rise. I cannot say.

Shri S. M. Banerjee: The statement says:

> "It was pointed out by the Czechoslovak President that before a collaboration project is established, it would be advantageous to have Indians trained in Czechoslovakia for such projects. The Prime Minister expressed our appreciation of—Czechoslovak assistance to us, particularly in the field of heavy industry. . ."

Was any Indian team sent for further training in heavy industry or is it likely to be sent? If so, when?

Shri M. C. Chagla: Alrady, I believe as many as scholars from India are studying in Czechoslovakia. The President very kindly said—in fact, the communique points out—that there are very good universities there and Czechoslovakia would be very happy to have more Indian students.

Shri S. M. Banerjee: I was not asking about students, but about technical people going from this country for further training in heavy industry establishment in Czechoslovakia.

Shri M. C. Chagla: Yes There is also a cultural and technical agreement between Czechoslovakia and India under which students are going for training already. The President was anxious that more should go and every facility would be given.

Shri Bade (Khargone): The statement shows that Czechoslovakia showed her appreciation for our stand on various important issues. Was there any discussion about the withdrawal of Chinese troops from our territory, and what was her attitude towards that?

Shri M. C. Chagla: There was a discussion of all international matters and the conclusions arrived are set out both in the communique and in my statement.

Sri Bade: There is nothing in the statement about Chinese troops withdrawing from our territory they have occupied.

Shri M. C. Chagla: What is mentioned in the statement is that Czechoslovakia and India agree on the policy of peaceful co-existance.

Shri Hem Barua: That is too vague.

Shri M. C. Chagla: ..and also the principal that no country should interfere in the internal affairs of another. My hon. friend will draw the necessary reference from that.

Shri Nambiar (Trichurapalli): Is it a fact that the relations between Czechoslovakia and India are partly strained due to the fact that India is not prompt in payment of the excess amount of Rs. 50 crores consequent on devaluation in the trade that has already taken place between the two countries?

Shri M. C. Chagla: I am not in position to answer that. My hon. colleague, either the Finance Minister or the Commerce Minister, will be able to do so. As far as I know, it did not figure in the talks. If this matter is outstanding he will kindly table a question to the Finance Minister or the Commerce Minister.

श्री मधु लिमये :(मुंगेर) : अध्यक्ष महोदय, रांची में हेवी फार्ज फाउंडरी चेकोस्लोवाकिया के सहयोग से बन रही है । उस के लिये जो भूमि का अर्जन किया गया था वह गलत और अनुचित ढंग से किया गया था । इसी तरह से इस कारखाने के लिये जो सामान समय पर मिलना चाहिये था नहीं मिला, इस में सार्वजनिक क्षेत्र के इस्पात कारखाने का भी दोष है । मैं मंत्री महोदय से जानना चाहता हूं कि क्या रांची कारखाने को जल्द से जल्द अच्छे ढंग से चालू करने के बारे में भी जेकोस्लोवाकिया के नेता से कोई बातचीत हुई है । अगर हुई है तो कौन सा कदम सरकार उठाने वाली है अपनी गलतियों को सुधारने के लिये ।

Shri M. C. Chagla: Very strictly, this question does not arise. I do not think these details were gone into.

श्री मधु लिमये : चेकोस्लोवाकिया की मदद से सब से बड़ा काम हो रहा है ।

Shri M. C. Chagla: The President was to have gone to Ranchi, but, as the hon. Member knows, he could not because of inclement weather.

श्री मधु लिमये : मतलब आपने जाने नहीं दिया ।

13.06 hrs.

STATEMENT *RE.* ACTION TAKEN ON POINTS MADE IN RAILWAY BUDGET DISCUSSION

The Minister of Railways (Shri S. K. Patil): While replying to the Railway Budget (1966-67) discussions earlier this year, I had said that, in accordance with the practice followed by us in the recent past, I would arrange to place in the Library of Parliament statements of action taken on points raised by hon'ble Members on the floor of this House during the discussions on the Railway Budget which were not covered by me or my colleague while replying to these discussions.

A careful scrutiny of such points was accordingly undertaken by the Railway Board in consultation, where necessary, with the railway administrations. I have now arranged for three copies of a consolidated set of statements of action taken in respect of these points to be placed in the Library of Parliament for perusal of hon'ble Members interested. I may add that the many constructive suggestions made by hon'ble Members have been most useful to the railway administrations, and even general observations where no specific reply is called for have been taken note of and are being kept in view by the authorities concerned.

13.07 hrs.

CORRECTION OF ANSWER TO S.Q. NO. 36 *RE.* REORGANISATION OF PUNJAB

गृह-कार्य मंत्रालय में उपमंत्री (श्री विद्या चरण शुक्ल) : लोक सभा में 2 नवम्बर, 1966 को पंजाब के पुनर्गठन से सबन्धित तारांकित प्रश्न संख्या 36 के उत्तर में प्रस्तुत हिन्दी के विवरण का दूसरा वाक्य इस प्रकार था :—

> "संविधान की धारा 356 के अधीन राष्ट्रपति ने 5 जुलाई 1966 के प्रातःकाल को विखण्डित हो गई और पंजाब तथा हरियाना में नये मंत्रिमंडलों ने काम करना शुरू कर दिया है ।"

यह वाक्य इस प्रकार पढ़ा जाना चाहिये :—

> "संविधान की धारा 356 के अधीन राष्पति द्वारा 5 जुलाई 1966 को जारी की गई उद्घोषणा 1 नवम्बर, 1966 के प्रातःकाल से प्रतिसंहृत कर दी गई और पंजाब तथा हरियाना में नये मंत्रिमंडलों ने काम करना शुरू कर दिया है ।"

Shri Hari Vishnu Kamath (Hoshangabad): On a point of order. You will be pleased to see that the correction made today is little more than a clarical error, just omission of one line, a typographical error. For this the Minister has taken nearly four weeks, a thing which should have been done long ago. The admonition, rather rebuke, which you had administered on another Minister the other day—which was described by my colleague. Shri Nath Pai, as rather mild—is still ringing in my ears but it seems to have fallen on deaf ears so far as the Treasury Benches are concerned. I would only appeal to you to ensure that in future no such statement shall be allowed to appear on the order paper unless it is accompanied by a statement setting out the reasons for the delay.

श्री मधु लिमये (मुंगेर) : यह जवान मंत्री हैं, इस लिये इनमें सुधरने की काफी गुंजाइश है ।

Shri Hari Vishnu Kamath: Four weeks for such a minor correction? They are sleepy, somnolent, somnolent or somniloquent—I do not know which.

Shri Vidya Charan Shukla: I can explain.

Mr. Speaker: If there is delay, the Minister can just make a statement explaining it, along with the statement.

Shri Vidya Charan Shukla: We would do that in future. But in this case, I may give the reasons verbally.

The answer to the question was in English and in Hindi. The answer in English was correct. There was some typing error in the Hindi answer. We accidentally discovered it and we wanted to put the record straight.

Shri Hari Vishnu Kamath: This is a lame excuse, lame in the extreme. It is lamer than the lame duck we are having in March.

13.09 hrs.

STATEMENT BY MEMBER UNDER DIRECTION 115 AND MINISTER'S REPLY THERE TO RE. USQ NO. 635, DATED 7-11-66.

श्री मधु लिमये (मुंगेर) : अतारांकित प्रश्न संख्या छै सौ पैंतीस का सात नवम्बर, उन्नीस सौ छयासठ को सुरक्षा मंत्रालय के द्वारा जवाब दिया गया । यह प्रश्न डायरेक्टोरेट आफ पब्लिक रेलेशन्स के द्वारा जो सैनिक समाचार पत्र प्रकाशित होता है उस में काम करने वाले सहायक पत्रकारों के बारे में था । मंत्री ने अपने जवाब में कहा :

> "(क) उन्नीस सौ तरेसठ में सहायक पत्रकारों की जगहों का निर्माण किये जाने के बाद से हमें उन पत्रकारों से सेवा की शर्तों, तनख्वाह आदि के सम्बन्ध में कोई भी शिकायत या आवेदन पत्र नहीं मिला है ।"

मेरा निवेदन है कि यह सरासर गलत जवाब है । मेरे पास सहायक पत्रकारों की शिकायत की जो नकल है उससे यह स्पष्ट होगा । यह शिकायत उनके द्वारा उचित प्रक्रिया के जरिये भेजी गई थी । मुझे पता चला है कि इस में से कुछ पत्रकारों ने अक्तूबर, 1966 में सुरक्षा मंत्रालय को स्मरण पत्र भी भेजे थे । मूल आवेदनपत्र तीस जुलाई 1964 का है और सुरक्षा मंत्रालय के प्रमुख शासकीय पदाधिकारी (चीफ एडमिनिस्ट्रेटिव आफिसर) के नाम से भेजा गया है ।

सुरक्षा मंत्रालय के अवर सचिव द्वारा जो पत्र जारी किया गया था और जिसकी नकल मेरे पास है, उससे पता चलता है कि सरकार ने वायदा किया था कि सहायक पत्रकारों की तनख्वाह निम्न प्रकार होगी :

> 210—10—290—15—320—कार्य कुशलता कसौटी (एफीशेंसी बार) —15—425

अवर सचिव ने यह भी कहा था कि सूचना तथा प्रसारण मंत्रालय के द्वारा जिन शर्तों पर इन स्थानों के लिये लोगों की भर्ती की जाती है उन्हीं शर्तों पर सैनिक समाचार के सहायक पत्रकारों की भी भरती की जायेगी ।

अध्यक्ष महोदय, आपकी इजाजत से मैं मंत्री महोदय से प्रार्थना करता हूं कि उनकी शिकायतों पर वह सहानुभूतिपूर्वक विचार करें ।

Shri Vasudevan Nair (Ambalapuzha): Please allow me to make a submission.

Mr. Speaker: Not on this.

Shri Vasudevan Nair: This question was in my name. You should also know how the Minister and the Government function, because they get false and incorrect answers. I wrote to the Minister saying that this was an incorrect answer, that he should correct it in the House. You may say I should have written to you also, but the the Minister sends me a personal letter saying, yes it was a wrong

[Shri Vasudevan Nair]

reply, incorrect reply, his officers sent an incorrect reply, but then he leaves it at that. I am glad Mr. Limaye has raised it and he is going to reply. Months have passed. A member writes letter to him pointing out the mistake, but the Minister does not come before the House to correct the answer.

The Minister of State in the Ministry of Defence (Shri A. M. Thomas): In this particular matter raised by Mr. Vasudevan Nair, in fact a notice given under direction 115 has been received only from Mr. Limaye. Mr. Nair wrote to me, and in reply to that I have explained to him the real situation.

Mr. Speaker: If this has come to the notice of the Minister himself by the letter written by Mr. Vasudevan Nair.....

Shri A. M. Thomas: It was simultaneous.

Mr. Speaker: Then, too, as soon as the Minister had learnt that a mistake had crept in, he should have come voluntarily at the earliest moment to correct it.

Shri A. M. Thomas: But because this notice under direction 115 was also received by me..

श्री मधु लिमये : बात यह है कि आप से हम लोग ज्यादा सचेत हैं ।

अध्यक्ष महोदय : मैं बोल रहा हूं तो बीच में तो न बोलते जाया करें ।

श्री मधु लिमये : मैंने इस ओर आप का ध्यान खींचा है कि ये सचेत नहीं है ।

Mr. Speaker: When the Minister has realised that a mistake has crept into the reply, whether notice had been given under direction 115 or not, the Minister should come up at the earliest opportunity to a correct reply in the House, without regard to any notice or requisition.

Shri A. M. Thomas: As would be seen from my statement, really there has not been any mistake.

Shri Vasudevan Nair: Why? Your letter is with me.

Shri A. M. Thomas: Moreover, from the Lok Sabha Secretariat there was a memo sent to the Ministry asking for the facts of the case, and we have furnished information regarding the real situation, so that there has not been any wilful negligence on our part, or attempt to suppress any information from the hon. House.

Shri Vasudevan Nair: It was a wrong reply. Why should he try to explain it away like this? In his letter to me he has admitted that it was a wrong statement.

Mr. Speaker: How long is the statement?

Shri A. M. Thomas: It is four pages.

Mr. Speaker: It might be laid on the Table of the House.

Shri A. M. Thomas: A copy has been given to the hon. Member also.

I beg to lay the statement on the Table of the House. (*Placed in Library. See* No. LT-7451/66).

13.15 hrs.

POLICE FORCES RESTRICTON OF RIGHTS) BILL—*Contd.*

Mr. Speaker: Mr. Shinkre.

Shri S. M. Banerjee (Kanpur): Before you call Mr. Shinkre, I have to say something on the Bill which is before the House.

Yesterday I and Mr. Nambiar raised certain constitutional points, and we said that the Bill should not be proceed with because it is bad in law, and you, in your wisdom, said that you were not concerned with it, you would not decide the constitutional aspect of it.

May I invite your kind attention to this? After that I consulted some parliamentary documents and the proceedings of this House. You remember that when Shri Morarji Desai came with the Compulsory Deposit Bill, all members of this House opposed it; on this occasion only myself and some others have opposed it; in that case every body opposed it; and ultimately the same question was raised whether it was a reasonable restriction, whether it was in accordance with the Constitution, whether this would not be denying a citizen his....

Mr. Speaker: This has been decided yesterday. He cannot raise it now again.

Shri S. M. Banerjee: I only want a direction from you whether in such cases.....

Mr. Speaker: That decision has been taken, whether right or wrong, and it cannot be revised now at this moment.

Shri S. M. Banerjee: We can get the advice of the Attorney-General.

Mr. Speaker: No, please.

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): The time proposed by Government for this Bill is two hours. May I know by what time all the stages of the Bill would be concluded?

Shri Hari Vishnu Kamath: (Hoshangabad): Not less than four hours. It is a very important Bill.

Shri Jaganatha Rao: Half an hour was taken yesterday.

Mr. Speaker: We might go up to 4 O'Clock.

Shri Hari Vishnu Kamath: Half past four.

Mr. Speaker: Four O'clock. Members should be brief in their observations.

13.16 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Shri Shinkre (Marmagao): As I was submitting yesterday, the very fact that the Government felt the need or bringing forward such a legislative measure like this to prevent the police forces from forming themselves into trade unions is a very serious reflection on their efficiency and ability to govern, and to give the police forces their reasonable due. As I said also yesterday, this is a sign and symptom of the very serious situation prevailing in the country because this just shows that of all the classes of people under this Government, the police forces at least, according to their own confession and admission, have lost confidence in them.

I may be permitted here to remind the hon. Deputy Minister who is deputising for his boss, the Home Minister, that when Lord Atlee, at that time only Mr. Atlee, piloted the Indian Independence Bill, he prefaced it with several reasons, and one of them, perhaps the most important one, was that the British Government could no longer rely on the loyalty of the native forces of India, and the British Government could not afford to keep in India large European forces. This was one of the reasons given by him for giving up power in India. So, I submit that when this Government have lost the confidence of the police forces, or rather the police forces have lost confidence in the Government, they have no more confidence in the Government, it is but proper for this Government to tell this Parliament from now on they are stooping to rule because there is a real crisis of confidence between the Government and the police forces.

This does not mean that I am not supporting the underlying principle of the Bill. I am completely against trade unions or political movement not only in the police forces or the armed forces, but in any Government service. After all, police forces or

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armed forces are only Government servants, and their primary loyalty is to the Government of the day. If we allow the police forces to form themselves into trade unions, we will before long, be having Mr. Ananda Nambiar leading one trade union of part of the police forces, and Mr. Banerjee leading another trade union of another part of the police forces, and there would be a permanent conflict and clash between the trade unions, and you know very well how.....

Shri Hari Vishnu Kamath: You said "Vanarji".

Shri Shinkre: I did not say "'Vanarji". I said Banerjee. You know, Sir, that human nature normally restricts itself to smaller loyalties. If we have fires and things like that involving serious damage to national property in fertilizer plans or heavy engineering plants in Ranchi or other places, what will happen? We will see the police forces refusing to obey the orders issued by the Government and I will not be surprised if leaders like Shri Ananda Nambiar controlling the trade union go to the police forces and tell them: "देखो भई, कल से तुम्हारी तनख्वाह इंस्पैक्टर जितनी होनी चाहिए, नहीं तो तुम कल से भूख-हड़ताल, अनशन शुरू कर दो। अगर तुम ऐसा करोगे, तो परसों से तुम को उतनी तन्ख्वाह मिल जायेगी।"

The policemen will go on strike. This is the situation that they want to create because their big masters had once upon a time told them to create disorders first in those places.

Shri Nambiar: (Tiruchirapalli): There is the feeling of discontent among the policemen.

Shri Shinkre: The communists take advantage of it. Every now and then the communists come before this House and villify and launch attacks on the police forces. Now they come with this pseudo love which is far more dangerous and serious to this country. I do not want this Government to neglect in any manner the rightful demands and the amenities that are due to the police who are holding the brunt of the worst situation that this country is facing. To allow trade unionism is something that will mean the end of law and the rule of law in the country. Mr. Banerjee and Mr. Nambiar have become a sort of constitutional pundits and yesterday they raised constitutional objection saying that this Bill violated articles 19 and 33 of the Constitution. They are clever.

Shri Nambiar: That is why we are here.

Shri Shinkre: They quoted one half; the other half was not perhaps their concerns. Sub-clause (2), (3), etc. specifically lay down that the State can make laws to limit or restrict the fundamental rights given to any citizen under article 19. The policemen are not free citizens of this country. I am a free citizen and I can say: hang this Government; the first time I have a chance, I will hang this Government. But no policemen can say that; no Government should allow that. They serve the government of the day. The Government may be changed or may not be changed. The policemen and the Government servants are bound by loyalty to the Government of the day and their first loyalty is to the Government and if you allow them to form trade unions and create disorder we shall have to say goodbye to any law and order in the country.... (*Interruptions.*) I am all for giving them recreational, cultural, sports and other amenities. But they need not form a trade union for that purpose.

Having said that, I have to say that I have my doubts whether the provisions in clause 3 are necessary at all; all that is laid down here can merely be part of the service rules Quote:

"No member of a police force shall without the express sanction of the Central Government or of the prescribed authority be a member or associated in any way in trade unions, labour unions, etc.' All these are usually part of the service rules. Do we require an Act of Parliament for that?

Shri Tyagi (Dehra Dun): For the purpose of conviction.

Shri Shinkre: I will come to that. It is again very serious. I have a feeling that the Government might have been attracted by article 19 which lays down what should be the punishment meted out to people who infringe the fundamental rights as laid down in article 19.

Clause 4 lays down the procedure to be followed for the punishment. I wonder if this sort of penalty may not be constitutional because what is put here is only disciplinary offences. If for instance, I did the same thing, I would be committing no offence. There is a fundamental difference between the concept of the common criminal offence and the offences as defined in this Bill. So, the punishment of imprisonment will not be proper or appropriate in this case. It is true that this Parliament can enact any law and prescribe any penalty. But that does not mean that we can pass a law giving capital punishment for an offence like defamation. There are some standards inherent in our Constitution and the structure of our penal law. These are disciplinary offences that ought to be punished at the most with dismissal or suspension or compulsory retirement. My submission is that imprisonment would not be an appropriate punishment in a disciplinary case. The Home Minister is luckily in the House now and he should give his considered view on this clause. I do not think he is responsible for this clause though he is holding the baby now as it might have been thrown on him when he assumed the new portfolio and so he cannot be blamed for this. I do not think they have consulted any constitutional pandit as I feel no disciplinary offence can be punished with imprisonment. What imprisonment? Imprisonment up to two years with fine which may extend to Rs. 2,000 or with both. Under our Penal Code, to be eligible for two years imprisonment, one has to be a complete blackguard and for this mere offence against disciplinary rules, I do not think it would be appropriate to stipulate such a sort of heavy and inhuman penalty. So, I hope that the hon. Home Minister will bear in mind the suggestions of mine and do the needful.

Shri Indrajit Gupta (Calcutta South West): Mr. Deputy Speaker, Sir, since yesterday, I am seeing Shri Shinkre in a new light; yesterday, he passionately advocated the provisions of the Preventive Detention Act and today I find him bitterly opposing this idea of policemen having any trade union or organisation of their own. I do not know whether this change in him has anything to do with the approaching elections. However, it is of course only to be expected....

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Shri Shinkre: I have already announced that, I am no more a candidate for any seat either in the Lok Sabha or in any Assembly.

Shri Nambiar: So, this is the last chance of hearing him. We will hear him more, tomorrow and the day after tomorrow.

Shri Indrajit Gupta: It is only to be expected that this Government would bring forward such a Bill. I would be surprised if they did not, but there is a rather tragic or pathetic irony in the whole thing, as to why this particular Bill is being brought forward at this particular time. The Constitution is there since 1950, and this is 1966, and the same powers under which they are restricting the rights of the police force now were there for 16 years. but were never exercised in this specific form. So, the first question which the public in this country will not fail to note is that it is

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being brought forward at a particular moment of time and that is not fortuitous; there is a reason for it. At a time when there is a wave of unrest sweeping the entire country to which we have been referring so many times in this House on so many occasions, an unrest whose mainspring is the economic discontent born out of the suffering and exploitation of the common people of this country, caused by the bankrupt policies of this Government on the issues of food and prices and economic development and employment and so on, it is just at this time that the Government has become so callous, so bureaucratic in its attitude and so isolated from the conditions, the actual living conditions of the people, that it even forgot that the very policemen on whom it depends also are citizens of this country, humble people, poorly paid people who have got to keep their body and soul and their dependants alive in these very difficult economic circumstances, they frogot that. This is a period when this Government is increasingly showing a propensity for automation. And inconformity with that mental attitude of theirs, of bringing in automation into this country, perhaps they also consider policeman to be nothing but robots; they want them to be mechanical robots, who know how to fire a gun and wield lathies, who must be without any opinion of their own, any conscience, any kind of power of thinking or anything of that kind or even the bare minimum wherewithal with which they will be able to keep themselves and their families alive: even that, they have become impervious to. And suddenly, on the crest of this popular wave of discontent and unrest sweeping the country, when more and more this Government has to depend only on the police force to suppress that popular movement, then suddenly this Bill is brought forward, because it is found that in the city of Delhi, some poor, non-gazetted police constables—Karamcharis as they call themselves—decided that they should have some sort of union or association to vantilate their grievances regarding the amenities, benefits, pay-scales and so on. So, after 16 years, suddenly this House is called upon to approve of this Bill. It is really rather a pathetic state of affairs: all these years it was never considered necessary at all.

The facts that have come to light about the Delhi policemen's agitatson show that—if these facts are correct, I do not know—they have been trying for quite a long time to represent their grievances in various ways, to various people, to the senior officers, the IGs of Police, the Home Ministry, the Lt.-Governor of Delhi; they have approached all these people in various ways, by submitting memoranda and petitions and all that kind of thing. But they never got any kind of hearing or any kind of sympathetic response at any stage and they even, rightly or wrongly, tried to reinforce their demands by such token forms of action,—you might call them—as refusing for one day to take their salaries or going on a fast as a measure of penance, as they declared and as we read it in the papers, and so on.

Now, I want to know, can anybody in this House, can the Minister, can any Member on that side or can Shri Shinkre, give a single example or instance to say that during this whole period, when the so-called agitation by these constables has been going on, there has been the slightest dereliction of duty on their part, duty as we understand it according to the disciplinary rules of the police? Can anybody say that at any stage they have not performed their duties? Have they not made it clear, over and over again, that whatever they may do in the way of representing their grievances—they have made it clear—that they will abide by the discipline of their service and they will never stop work or go on strike, and that they will attend to their duties? They

have in fact done so on the 7th November, when the famous demonstration demanding a ban on cow-slaughter was taking place outside this House, and so much panic was created in the city of Delhi not only by the demonstrators but by the Government also, by the All-India Radio also. Some Members expressed in the House the fear, I remember, that if the police had not done its duty that day, than the sacred, sacrosanct precincts of this House would have been stormed; they had said so here, on the floor of this House. At that moment they did not fail to note this fact, that even under such a very severe trial that day, how well the police had behaved, how much restraint they had shown. I must say that this is one instance, example, when it cannot be said that the initial provocation came from the side of the police. So, please do not conjure up this terrible, nightmare vision that the moment you say any policeman wanting to raise a demand for better pay, salaries and wanting to form an association, it means that immediately there will be a total breakdown of law and order, because these people are not behaving like that. They are showing some sense of responsibility which I think ought to be commended, instead of being in anyway condemned.

Now, I think the policemen in Delhi wanted to form some sort of non-gazetted Karmchari union, and they had drafted a constitution and wanted that to be registered under the Trade Unions Act, which was refused to them. But I am sure the hon. Minister has had an occasion to see that draft constitution, and I am sure that if he has been it he knows that they have explicitly, not implicitly, but exp'icitly, in so many words, written into their constitution that they would never under any circumstances resort to strike or be absent from duty or stop their work. They have put that self-restraint on themselves. They have mentioned clearly in their aims and objects of that constitution that they would never go on strike, that they would try to improve the discipline of the forces and also that they would try to eradicate corruptson in the police force which I think is a very important thing.

Who does not know that the source of corruption among the poorly paid Government employees and others is the fact very often ,that they are not able to make two ends meet, and there is always the temptation to exercise authority, since they are Government personnel, for purpses which lead to corruption? And simply by bottling up those grievances and denying them their legitimate right, you are in a way indirectly, not deliberately but indirectly, encouraging them to resort to corrupt practices.

So, what I would say is, why should not this right of association in some form be given to them. That is what I want to know. Shri Shinkre talked about Government employees being a separate category and all that. But the point is, the right of trade union organssation subject to certain restrictions, of course, is there, and is enjoyed by all Government employees I want to know what Government employee does not enjoy it. Do they not have trade unions? Are the police performing a duty which is more important than that of workers who are producing weapons for our armed forces? The Home Minister who was Defence Minister till a few days ago knows that there are unions in every defence factory. Have these defence workers been accused of dereliction of duty at any time? Have they failed to rise equal to the occasion when the necessity arose? Are not the railwaymen allowed trade unions, in spite of the fact that if they strike, the entire communication system will be paralysed?

In my opinion, this is not the way to have a satisfied and contended police force. Redress of grievances through collective representation is the best way to remove discontent in a timely way, instead of allowing it

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to boil up to a stage when it might lead to undesirable consequences. If any attempt is made to suppress the legitimate grievances, I am quite sure they will burst out one day in some form or other. I would request the Government not to try to repeat history. Mr. Shinkre made a passing reference to it. May I remind the Government, in 1946, even before the agitation for the release of the INA prisoners, it was the revolt of the policemen which first shook the foundations of the British Government in this country! Please remember what happened in Bihar. At that time the British Government also said the same thing that the police are in charge of law and order and they should not be allowed to form unions to voice their grievances; but, all that the British Government succeeded in doing was to make a national hero out of Mr. Ramanand Tiwari, who was the leader of the policemen in Bihar during that strike. He is not a respected opposition member in the Bihar Assembly. He chose to find his political destiny outside the ranks of the ruling party also. He is widely respected in Bihar because of his association with that movement. So, do not try to repeat history.

Whether you call it an association or a trade union, there is no material difference. They should be given the right of collective association with their own constitution and rules, and permitted to put forward their grievances collectively and negotiate with the Government.

Policemen are permitted at the time of election to vote by postal ballot. Many policemen are voters in my constituency who vote by postal ballot. If they are permitted to choose a member of this House, will you also allow them to come and meet an MP, for whom they are entitled to vote? I do not think Government will allow that. If he is found approaching an MP, he would suffer serious consequences.

The whole attitude of the Government is very bad in this respect. I am told that when his predecessor was in charge of the Home Ministry, the Delhi policemen were given some sort of assurance, probably unofficially, I do not know, that their demands would be considered in three separate categories. Firstly the question of immediate interim relief to be given to them as a protection against the rising prices. Secondly the question of overtime allowance, which would be settled directly with them. Some other demands would be taken up for discussion and some other demands would be referred to the Police Commission which is to be set up to go into their grievances. When the Minister replies, he may kindly give the information as to what has happened about those categories of demands which were to be settled directly or by negotiation outside the scope of the Police Commission. So far as I know, nothing has been done in this regard. Sir on behalf of my party, I totally oppose this Bill.

Shri Joachim Alva (Kanara): Sir, I support this Bill brought forward by the Home Minister in regard to the restriction of certain rights of policemen. I admire the dignified speech made by Mr Indrajit Gupta, who is one of the best spokesmen in the House who speaks with clarity and dignity. But we differ with him on many fundamental points. He has put his case very well. I am sure he will lend his ear to us when we put our case.

I have mixed with the police considerably. When I went to see the House of Commons—the Speaker sent me there this year, I spoke to the policemen there and asked why crime was so high in London now, when even Indian policemen were quick enough to catch up with crime. In New York, during late President Kennedy's last election meeting at Madison Avenue, the police wanted to open this bag of mine which I carry all over. I refused to allow them to open it. I showed

him my card and said that I am an M.P. Still he insisted and when he opened my bag, all that he found was an apple! He was ashamed and he ran away. I told him that our Maratha policemen in Bombay has got more common-sense than the policemen in New York, because he insisted on opening my handbag and found nothing incriminating.

I want to pay my tribute to the Indian policemen, especially of the rank and file. They are the unsung and unwept heroes of law and order in India. I grant there may be some bad exceptions, like the oplicemen in U.P. with whom my valiant friend, Mr. Maurya was involved. I have great sympathy for him. I also defended in the court of the Chief Presidency Magistrate in Bombay Mr. Shukla, a former Congress Member of Parliament and the brother of the Deputy Home Minister, when he was thrashed by the police in Bombay and was tried on a charge of assault when it started on nothing.

Mr. Maurya went to the rescue of a tongawalla who was being beaten up by a policeman who was not in uniform and who was not on duty Yet, Mr. Maurya was jailed though the Allahabad High Court quashed the conviction. He may be an impulsive man and I have great sympathy for him. But an M.P. also is entitled to certain rights of protection like the ordinary citizen.

The policemen in Delhi have done a very good job. We appreciate the way they played their part on that unforgettable day—November 7. If they had failed in their duty then, you and I will not have been sitting in this House, because there are incendiary elements in our public life who are encouraged by the conduct of some people in this very House. They might have set fire to this very House. Where would you and I be in that case? We all want to pay our tribute to the gallant policemen of Delhi who have defended this great capital at all times.

I also pay my tribute to the Bombay policemen. It is, after all, the Gateway of India. Regulation of traffic there is one of the best in the world. There is such an amount of commonsense, the Bombay city policeman displays. They have had a succession of good Home Ministers like Mr. Munshi, Mr. Morarji Desai, Mr. Chavan and now Mr. Balesaheb Desai. The Bombay Police have always unravelled sensational crimes. I would also like them to find out how some retired police officers have amassed great fortunes, as in the case of Mr. Goaker, who has been involved in a very sensational smuggling case to the tune of lakhs of rupees, who was a former police officer, who became a race-horse owner and who blossomed into a big racketeer. He has been caught now. I would like the Bombay police to look into it.

Sir, the policemen shall be seen, and not speaking in public. They can speak amongst themselves in private. They shall act and not hurt people. They have to defend and not unjustly kill anybody. These policemen are the people on whom we depend in the last ditch. If they are going to have unions and *mara mari*, if they are going to hold a pistol at the Government, what is going to happen to law and order? Then we may have to fall back on the army. Does my hon. friend want us to fall back on the army? If he establishes a Communist State in India, will he allow the police any rights of freedom? (*Interruptions*). How many rights do the police enjoy in the Soviet Union?

Sir, I want the police force to have plenty of medical and housing facilities. When they are on duty, they should be fed well. They have to stand for long hours day and night. Sometimes they have to be on duty for 12, 13 or 18 hours. They must be fed well at intervals and they must be given cool drinks, coffee and tea without any restraint of budgetary proposals.

Their children's education should be well looked after. Nursery schools

[Shri Joachim Alva].

should be opened for them. I went into the Police Club in Bombay for the first time just 2 months ago, that was built by the donations of the notorious *jo hukumwallas* who supported the British raj. The Club is only for officers. I saw a galaxy of photographs of former British Commissioners of Police, who sent us to jail. There is no police club for the ordinary rank and file. Do not the ordinary rank and file want a club for themselves, their families, their children and their own people to dance, to have recreation and other things? This is also an essential amenity for them which we should not ignore.

They should have social amenities. They should have lands after retirement just as men of the defence forces get after retirement, so that they can also take to cultivation, poultry farming etc., and live a good life on retirement after a meritorious service.

These are the simple things that we have to look after. We have to look to their gratuities, their pension and other requirements. We just give a grant of Rs. 1,00,000 or Rs. 50,000, appoint a Commission and take it for granted that all their troubles are over. I congratulate the Government for waking up suddenly, for suddenly realising their difficulties. They have appointed a Police Commission. They have also given a grant of Rs. 1,00,000 or Rs. 50,000. But I would say the Home Ministry has to be the watch and ward of the rank and file of policemen. The police in Delhi, in Himachal Pradesh, the special armed police on our borders, they have all done a wonderful job. They are defending our country. They are the next line to our defence forces.

These things are very important. I have got some experience of policemen. When a European police officer smashed the nose of a taxi driver in Bombay, I defended him in Court and got him acquitted. But, Sir, we cannot allow the rank and file to have a union, to have an association. The association can be formed only with the permission of the Government. What is the object of forming a union? Tomorrow if they go on strike, how can we safely stay in our houses? How many of us were stunned when we read in the papers about the Solicitor-General's murder? We started worrying about our own protection. Only when we read that a lot of money was found we felt safe that we did not have any money and, therefore, we could sleep in peace! Law and order is very important. I admire every policeman for discharging his duties. Now we have also got women police. It is a creditable achievement. We have got intelligent women in customs and the Police force. I do realise that men of the noble calibre and legal acumen of Shri Chatterjee do not like this bill and they will find fault with its essential provisions. But I am sure, if they cross over and take power, they will also be compelled not only to keep this law going but also to add some more provisions to it.

Sir, I have nothing more to add. From beginning to end, now and always, I shall pay my tribute to the rank and file in the police. They are doing a great job. I am not concerned with the officers, I am concerned with the hundreds of men who do long hours of duty away from their families. At any time they may be shot down. Their lives are always in danger. They are our guardians. For God's sake let this not be considered on party lines. I would appeal, through you, Sir, to see that no unions are formed. You know what the unions are. Shri Banerjee who will be speaking after me will tell you a lot about unions. He worked in a union in Cawnpore. I am sorry, Shri Tyagi, when he was the Minister of State in the Defence Ministry sent him away from the Ordnance factory; otherwise he would have been there in the union instead of being here and worrying about others.

Shri Nambiar: Mr. Deputy-Speaker, Sir, I am sorry Government has chosen

to bring forward this unfortunate Bill. I strongly oppose this. It is not that I have got any special love for the police. I have got love for the police. I have got love for the police as well as the citizens of this country. All are equal. To say that the Communists are here to exploit the situation, to instigate the police against the Government, is wrong, is malicious and mischievous. Shri Shinkre, if at all he feels that we are here to do harm to the police or create a kind of situation in the country, is absolutely wrong. I can only sympathise with him when he said that he was making some of his, so to say, last speeches in the Lok Sabha because he was not going to come back to Lok Sabha hereafter. I can only sympathise with him and leave him at that.

What made the government come forward with such a legislation at this stage? We must go a little into the history of the case of policemen in Delhi and this country as a whole. The policemen are treated very badly. They are treated in such a way that they have no other go but to form themselves into an association to redress their grievances and improve their lot. They have no political intentions. They do not propose to interfere with the political set-up in this country. They have made it clear. You say that they can have an association or, whatever they may call it, with the permission of the Government. I do not know what sort of conditions the Government are going to put. But, if an association can be permitted, what is the harm in permitting a union? Are you quarrelling with the word "union"? If that is so, we can very well request them to change the word into "association". After all, it is not on the word that the Government wants to object. The Government wants to give prior consent so that only with their consent they can form an association. When they give their consent, what will be the conditions that they will stipulate? That we do not know. If they can give consent to an association without stipulating any conditions, an association which is intended to improve their lot, then the policemen will be satisfied.

I know the history of certain agitations of policemen. We had an agitation in Madras when the policemen wanted certain improvement in their conditions. When Shri Rajagopalachari was the Chief Minister, he went to the extent of using force and beating up the policemen. The policemen who wanted some improvement in their conditions, who went in a procession and petitioned the Government, they were beaten up. The police were divided into two and one wing was used to beat up the other wing. These things happened in Madras. Recently, in Delhi, the policemen had resorted only to a legitimate way of expressing their grievances. Therefore, the Government should treat them with sympathy.

The policemen of Delhi, under the name of their union, the Police Nongazetted Karmachari Union, submitted a petition dated 7th September, 1966 to the IGO, Police, Delhi, the Minister of Home Affairs, the Chief Commissioner, Delhi and also the Deputy Chief Commissioner. In that they have narrated their conditions. Their present conditions of service are appalling. The conditions of living detailed by them makes the most [illegible] reading. From that we find that the policemen of our country are very badly treated. If they did not so far come forward to form an association and agitate explaining their grievances, you must only thank them because the conditions in which they are living are so bad.

Shri Chatterjee was asking me what salary a policeman gets. He gets something like Rs. 110. Can a man in Delhi live with only Rs. 110? What about other things like housing etc? They are not given any rest. Is there any restriction on their working hours?

[Shri Nambiar].

They are made to work round the clock for 24 hours. I can understand if a policeman gets rest after eight hours of work. A constable, a head constable, a sub-inspector or an inspector, whoever it is, must be given at least rest or over-time for the extra time he works. There is no such provision. Can they deny these things to the policemen? This Home Ministry has denied these things. Here I would like to quote some figures from the petition that they have submitted, which will convince you of the legitimacy of their grievances. Here they say:

> "The Police Union demands that the non-gazetted police officers' pay scales may be revised as under:
>
> Constable: Rs. 110 to Rs. 180.
> Head constable: Rs. 150 to Rs. 210.
>
> Sub-inspector: Rs. 210 to Rs. 380.
>
> Inspector: Rs. 380 to Rs. 480".

14 hrs.

Is it an illegitimate demand to ask for the grant of a salary of Rs. 110 to a police constable in Delhi? But even this our Government is not prepared to consider. The answer to this demand is a Bill which prevents them from even forming an association, taking shelter under article 32 of the Constitution. Is this the way the policemen of our country should be treated, the policemen about whom the hon. Minister stated that they have meritoriously served the country for all these 18 years? They must be treated with sympathy and their reasonable demands must be satisfied. Then they should be asked whether they require a trade union under the Trade Union Act, they should be told that it will not be necessary because they have an association. Why are you not recognising their association? Why do you not give it a trial? Can you not treat them well for the service they have rendered in the past? You are not prepared to do that because you are afraid that once the policemen start an association they will do something against the Government or that they will give political colour to their agitation. Why should the Government presume so? This presumption is not at all justified. I say that you should consider their memorandum for its face value and satisfy their legitimate demands. What are their demands? One of their demands is:

> "The Special pay and allowances of the Non-Gazetted Police Officials who are posted in C.I.D., Security, F.R.R.O. and Traffic Staff, may be up-graded forthwith taking in view the high level increase of dearness. Also, clothing allowance may be increased accordingly."

They want a better rate of dearness allowance. When the railwaymen, Government servants and industrial workers are pleading for higher dearness allowance, why cannot the poor policemen, on whose shoulders lie the responsibility of maintaining law and order, ask for higher dearness allowance? Why should they be denied this? Does it require so much of thinking to grant it? Does it require crores of rupees to grant adequate dearness allowance to the policemen? Because it was not granted, they have now come forward with a memorandum, backed up by an application for registration as a trade union. It is only then the Government opens its eyes and says that this movement for the formation of an association should be nipped in the bud. I am very sorry for this state of affairs.

Why do you want to put the entire blame for this on the politicians, specially Communists? Are we going to enter this association? Have we got any trade union interest in their association? No, we have not. We are

pre-occupied with the trade unions of Industrial Workers and peasantry, hundreds of thousands of them and we have no time to take any interest in the trade union of the policemen. I can declare here and now, on behalf of my party, that we are not going to enter the trade union of policemen. Please, on that ground alone, do not deny them the right of forming an association. Do not bring in politics where it does not exist.

What does their memorandum say? It says:

> "The Police union demands modern sanitary, hygenic quarters for family and single persons. Building loans to be departmentally provided for non-gazetted police officers within two months of their submission of applications."

Now they do not get it even after 12 months.

> "The Police Union demands police personnel be strictly utilized only for public service."

This shows that policemen are now used for private work. Purchasing utensils and things from the bazaar for the officers has become their normal work as orderlies. The orderlies follow the officers only to defend them; but now they are asked to purchase mutton and fish and sweep the rooms of the bungalows of police officers. This is the unfortunate situation. It is mentioned in black and white in the memorandum submitted by them. After all, it is not a Communist inspired or created document. It says further:

> "Non-Gazetted Police Officers should have regular weekly holidays and Gazetted Holidays, and be paid over-time, with extra rest days following and special pay rates for night duties . . .
>
> The Police union demands that promotions be given from the rank of constable to the highest rank, by seniority being given due consideration."

They do not say that promotion should be only by seniority.

But seniority should also be given due consideration for purpose of promotion.

> "Favouritism, in the form of 'Confidential marks' being contrary to the Indian Constitution be abolished."

Now favouritism, nepotism, bribery and corruption are existing in the police force, which is very bad in any organisation. If it exists in the police force or military, there is no salvation for the country.

> "Direct recruitment to the post of Sub-Inspectors and Head Constables to be abolished and vacancies to be filled from ranks immediately below."

I do not want to tire the House by reading the entire memorandum, a copy of which is aldeady before the House. I would request the hon. Home Minister, who has taken up this job with zeal and enthusiasm after his victory over the Pakistani forces, to take courage in both hands and accept policemen as his own subordinates and treat them favourably, equally, with courtesy and with consideration so that he will get co-operation from them, instead of territorising them by bringing in enactments under the Constitution and saying "I will give you two year's imprisonment if you form a union or be a member of that union". What is this business of imprisonment for two years for an Indian citizen? For the sin of being a police constable, for the sin of becoming a member of the police union, is he to be punished with imprisonment for two years?

An hon. Member: And disqualification for standing for election.

Shri Nambiar: He has got disqualification for everything. He cannot go to the houses of Members of Parliament.

This is an obnoxious piece of legislation. I do not know a better or

[Shri Nambiar].

harsher word. I hope my hon. friend, Professor Hiren Mukerjee can teach me a still harsher word for expressing my feeling. This is a rotten, obnoxious, most-hated piece of legislation, which should be thrown out. Why should the policeman be penalised with imprisonment for two years for becoming a member of a police union or association? So, this is a very bad and reactionary piece of legislation, which I oppose tooth and nail.

श्री हुकम चन्द कछवाय उपाध्यक्ष महोदय, हमारे सामने जो बिल आया है, इसका मैं पूरा तो नहीं लेकिन कुछ अंशों में समर्थन करता हूं। हमारे देश में जो पुलिस का वर्ग है यह बड़े महत्व का वर्ग है। लेकिन इस वर्ग के साथ इस सरकार ने इस ढंग से व्यवहार किया है और कर रही है कि जैसे अछूत लोगों के साथ व्यवहार किया जाता है। अछूतों की तरह से इन लोगों के साथ भी व्यवहार किया जा रहा है। यह हमारे लिए बिल्कुल ठीक नहीं है।

जहां तक इनकी मांगों का संबंध है, मैं आपसे जानना चाहता हूं कि क्यों इन मांगों को ले कर इनको यूनियन बनाने की जरूरत महसूस हुई मैं यूनियन का विरोधी हूं। सीमा पुलिस और सिविल पुलिस की यूनियन होना देश हित में नहीं होगा मैं इसका सख्त विरोधी हूं। लेकिन हमें देखना चाहिये कि आखिर उनके सामने कौन सी कठिनाइयां है और किस कारण से ये यूनियन बनाना चाहते हैं। बहुत पहले से उनकी बहुत सी कठिनाइयां चली आ रही हैं। छोटी छोटी इन की मांगें है जिन को आज तक पूरा नहीं किया गया है। उदाहरण के लिए मैं आपको बतलाना चाहता हूं कि यदि किसी पुलिस वाले की बदली दूसरे थाने में हो जाती है तो उसे काफी दिन तक उस थाने में सोना पड़ता है। चौबीसों घंटे उसको वहां ड्यूटी देनी पड़ती है। उसके बच्चे कहीं रहते हैं और वह स्वयं कहीं और रहता है। जब तक उसे मकान नहीं मिलता है तब तक उसे चौबीसों घंटे वहीं रहना पड़ता है। चौबीसों घंटे उससे ड्यूटी ली जाती है। ऊपर के जो अफसर हैं वे उसे कभी सब्जी लाने के लिए भेज देते हैं, कभी अंडे लाने के लिए भेज देते हैं, कभी शराब लाने के लिए भेज देते हैं और कभी कुछ और चीज लाने के लिए भेज देते हैं। घर के काम के लिए उसको भेज दिया जाता है। और जो भी छोटे छोटे काम हैं उस से वे करवाये जाते हैं आस पास अगर गड़बड़ हो जाए तो वह भी उसको जाना पड़ता है। उसको इतनी परेशानी का सामना करना पड़ता है कि उसका हिसाब नहीं लगाया जा सकता है।

इसके अलावा इन लोगों को जो वर्दियां दी जाती हैं वे कितने दिनों के बाद उनको मिलती हैं, उसको भी आप देखें। बहुत सी धांधली इस में भी बरती जाती है। उनको समय पर वर्दी नहीं मिलती है। पता नहीं ऊपर के जो अफसर हैं उनका इसमें क्या स्वार्थ छिपा रहता है। उसको समय पर वर्दी न देना ठीक नहीं है। उनको अब कपड़े मिलने चाहियें सर्दी में जिस ढंग के कपड़े उनको चाहियें वे उनको मिलने चाहियें।

Shrimati Vimla Deshmukh (Amravati): Sir, there is no quorum.

Mr. Deputy Speaker: The bell is being rung....Now, there is quorum. He might continue his speech.

श्री हुकम चन्द कछवाय: मैं कह रहा था कि सरकार को पुलिसमैनों की वर्दी की तरफ़ विशेष ध्यान देना चाहिये

आज की बढ़ती हुई भयंकर महंगाई को देखते हुं, पुलिस के जवान की वर्तमान तन्ख्वाह पर्याप्त नहीं है। चूंकि उस को कम तन्ख्वाह दी जाती है, इस लिए वह अपने अधिकारों का नाजायज लाभ उठाता है। मान लीजिए कि एक पुलिसमैन को 110 रुपये तन्ख्वाह मिलती है और उस को अपने परिवार का खर्च चलाने के लिए 150 रुपये चाहिए, तो वह अपने अधिकारों का दुरुपयोग कर के और पुलिस के रूआब से बाकी के चालिस रुपये की पूर्ति करता है। अगर पुलिसमैनों की पूरी तरह से पेट-भराई की गई, तो उन में जो यह प्रवृत्ति बढ़ रही है, वह नहीं बढ़ेगी। यह ठीक है कि सभी लोग ऐसा नहीं करते हैं, लेकिन कहीं कहीं ऐसा देखने को मिलता है।

हम ने देखा है कि जब पुलिस के जवानों की ड्यूटी किसी मेले या दंगा-फ़साद के संबंध में लगाई है, तो उस समय न उन के खाने की चिन्ता की जाती है और न उन के सोने की। इस समय केन्द्रीय सरकार के कर्मचारियों और पुलिस के कर्मचारियों में जो काफ़ी अन्तर है, सरकार को उस को दूर करने का प्रयत्न करना चाहिए।

जब पुलिसमैनों से आठ घंटे से ज्यादा काम लिया जाये, तो उन को उचित ओवर-टाइम भत्ता दिया जाना चाहिए। मैं मंत्री महोदय से निवेदन करना चाहता हूं कि हमारे देश में जो अनेक प्रकार की कुव्यवस्था फैलती है, उस का मुकाबला करने और देश में कानून और व्यवस्था को ठीक ढंग से बनाए रखने में पुलिस का बड़ा हिस्सा है। इस लिए अगर इस वर्ग को खुश और संतुष्ट रखा जायेगा, उस की पेट-भराई की जायेगी, तो सरकार को देश में शान्ति और व्यवस्था बनाए रखने में बहुत सहायता मिलेगी।

जिन लोगों द्वारा पुलिसमैनों में बार-बार आन्दोलन चलाए जाते हैं, वे यह मान कर चलते हैं कि अगर इन लोगों की यूनियन बनाई जायेगी, इन को उभाड़ा जायेगा और इन को काम-काज में रोड़ा अटकाने के लिए मजबूर किया जायेगा, अगर पुलिस ने यूनियन बनाने और हड़ताल आदि करने का हथियार इस्तेमाल करना शुरू कर दिया, तो यह सरकार हमारे काबू में हो जायेगा। जो लोग पुलिस में इस तरह की बातें फैलाना चाहते हैं, मैं उन का विरोधी हूं।

मैं चाहता हूं कि सरकार कोई कमेटी या कोई सर्वदलीय समिति बनाए, जो पुलिसमैनों की छोटी बड़ी मांगों के बारे में विचार कर सकें, ताकि इन लोगों को यूनियन बनाने और हड़ताल आदि करने की नौबत न आए। इन लोगों के लिए वर्दी और क्वाटर आदि की उचित व्यवस्था की जाये। जिस प्रकार फ़ैक्टरीज के समीप ही मजदूरों की बस्तियां बनाई जाती है, उसी प्रकार थानों के पास पुलिसमैनों की कालोनीज बनाई जाये, जहां पर इन के बच्चों की शिक्षा और खेलने आदि की उचित व्यवस्था की जाये। जब इन की बदली की जाये, तो इस बात का पूरा ध्यान रखा जाये कि जहां बदली की जा रही है, वहां इनके रहने की व्यवस्था है या नहीं। जब तक इन के लिए मकान की व्यवस्था न की जाये, तब तक इन को एक जगह से दूसरी जगह स्थानान्तरित करना उचित नहीं होगा।

मैं इस बिल का समर्थन करता हूं, लेकिन सरकार को पहले ही ऐसे पग उठाने चाहिए कि पुलिसमैनों को किसी प्रकार उभाड़ा न जा सके और उन को यूनियन बनाने या आन्दोलन करने की नौबत न आए।

Shri Sham Lal Saraf (Jammu and Kashmir): Mr. Deputy-Speaker, Sir, I have myself been a sympathiser of

[Shri Sham Lal Saraf].

trade unionism and trade unions for the last three or four decades. I very much like that our workers and our labour in the factories and in the fields should be looked after very well and that they should develop a sort of self-reliance also.

When we introduce trade unionism in any walk of life, it means two things, namely, they have to get their rights and have to observe their obligations. When we analyse our trade unionism from this point of view, I am very sorry to disagree with my hon. friend, Shri Nambiar. He only talked from one angle; rather, he has gone only on one track, as far as the rights are concerned. I very well agree that the rights should be considered in a particular manner. As far as the obligations are concerned, it is a question to be considered as to what obligations should a policeman or a watchman like a policeman have.

Before I say something about that, I would like to express that perhaps my hon. friends do not know that there are other services too in the country who have to face very many hazards, for example, the anti-smuggling squads and the income-tax people. There are a number of such services who sometimes have to work in the face of hazards and even get killed. A number of cases have come and are coming to light every day.

As far as the question that the police forces be given relief is concerned, I will say "Yes". Give them better service conditions, reasonable emoluments and good living conditions. Shri Kachhavaiya, and also Shri Nambiar, has said that a policeman, particularly of the subordinate services has to be on duty for long hours. It is never known how much time they have to give to their service. This also is a fact that senior officers do employ them on such works which do not behove them and which should never be given to them. The senior officers should not take that sort of work from them.

Because of the conditions through which this country is passing today, or for that matter through which any country may be passing, giving the right of forming unions to the policemen will be dangerous. Unfortunately, our trade unions only go one way; they only seek what are their rights. There are very few union leaders, maybe myself among them, who have very seldom been able to incalculate the spirit of discharging their obligations among the trade unionists. The way indiscipline is creeping in all walks of life, it would be dangerous, very much scandalous in a sense, if this type of trade unionism creeps into our police services.

What will happen to those people who look to them for their safety? For instance, Shri Alva said today and I also said the other day, that if on 7th November the police had struck work, what would have happened in this capital. Nobody knew what would have happened. My hon. friends have little knowledge of what is happening on the borders. You never know who passes on from my side of the border to the other side of the border and *vice versa*. My people who protect me there and on whom I depend that my hearth and home will be safe, if they form this type of a trade union, I do not know who will protect me there. How can that sort of confidence be created in me and many others? How can that be possible?

Keeping that in view, I would say to the hon. Home Minister, "Please look into their emoluments, whether their emoluments are reasonable and are what they should get." He should look into their service conditions, their living conditions and so on and so forth. Not only that. It often happens that policemen are sent on duty to some other areas and they seldom get T.A./D.A. These are the things which should be looked into.

Officers of higher hierarchy must treat the subordinate hierarchy in a

better way. They must treat them in a human way on humanitarian grounds. Then, as far as the entire service is concerned, it should be gone into to find out where the shoe pinches, so that all these people are helped. But to inculcate a type of indiscipline, political indiscipline, will be very dangerous for our country, for our civic life and everything.

I would not support what has been advocated by some of my friends there. But I would certainly say that this Bill should be passed and these people should know how they have to act, how they have to work, how they have to perform their duties and all that. I quite agree with one thing. I have a little experience of how our policemen work. They have played a wonderful part on our borders; they have done well during riots and have done many other things. It will take a lot of time to explain what service they have rendered. Our effort must be to see that when a policeman goes to the people, he goes as a messenger of peace and not as a messenger of *zulum*. That is the last word that I say in support of this Bill.

With these words, I support this Bill. But, at the same time, I urge the Government to go into their grievances and see what legitimate rights should be given to the policemen.

Shri Hari Vishnu Kamath: Mr. Deputy-Speaker, Sir, that the Government has come before the House with the Bill of this sort 17 years after the Constitution was promulgated bears eloquent testimony to the customary somnolent, if not somnambulist, manner in which they have tackled various problems and this one is no exception.

The problems affecting one of our finest police forces that we have had in this country, that we still hope to have for a long time to come in this country, should have been tackled much earlier. This morning's papers made strange reading,—and that is also a sequel to the manner in which the Government has tackled the problems affecting the police force, that the policemen have gone on a protest fast against the consideration of the Bill in Parliament. It is very strange indeed that a Bill before the House should provoke a protest fast by the members of the police force outside the Parliament. But it is not so strange as was the fast embarked upon by a former Chief Minister of Bombay in Ahmedabad, when the Home Minister was a member of his Cabinet in 1956 for a certain purpose. It was very strange indeed. It was referred to in this House some days ago. The Chief Minister of Bombay had gone on a fast in 1956 when there was a bigger bilingual Bombay, when there were troubles in Ahmedabad and in Bombay city. The policemen probably argued that when a Chief Minister can go on a fast, why not they also do it. I do not want to go into the merits of the question. It is indeed a sorry pass to which the police force has been brought.

In the first instance, the Government comes forward with this Bill 17 years after the Constitution was promulgated. Various problems affecting the police have been raised in this House time and again during the last 15 years. Myself, along with my hon. friends, Dr. Singhvi, Shri Mathur, Shri Chatterjee and many others, have raised this matter. But every time the Government has shilly-shallied and dilly-dallied with their problems and has not tackled them in an earnest, thoughtful, considerate and deliberate fashion.

The policeman, as is very well said, is the friend, no less than the guardian of the people and so far as the overall security of the State is concerned, his position comes next in importance to the armed forces. It is well said that there is no liberty without discipline and, therefore, it is essential that the members of the forces charged with the maintenance of security, external or internal security, should be subject to discipline, and with that I agree wholeheartedly. But

[Shri Hari Vishnu Kamath].

having said that, is it not the duty of the Government, was it not the duty of the Government during all these years, to have had formulated a comprehensive police manual, a comprehensive police code of conduct?

Shri Hanumanthaiya (Bangalore city): There is.

Shri Hari Vishnu Kamath: Not a comprehensive one; I have seen that. At the time of his predecessor, Shri Govind Ballabh Pant, in the First Lok Sabha, I raised the question in 1956—I am both to talk about myself—and I had dealt with this matter in my own Party, the Praja Socialist Party, to which I have the honour to belong, which had set up a committee of which I was the Chairman and submitted a report about the police functions, particularly, with regard to the circumstances in which they could open fire. We had submitted the report and we had circulated the report to all the parties including the Congress Party. The other parties acknowledged the receipt of the report but the Congress Party did not bother to acknowledge the receipt of the report which we had submitted.

Then, there was another committee appointed by the Kerala Government, I remember, in 1958 or so over which my hon. friend, Shri Chatterjee, presided, when the Communist Government was in power. That committee also submitted a report. I do not know what action has been taken by the successor Kerala Government, the Congress Government, which came into power after the Communist Government was pushed out. I am not going into the merits of the *vimochan samaram*. We are here concerned with the police force and their problems. Having been so negligent, indifferent and lackadaisical with regard to the dealing with the problems which affect the police force, what have they actually done so as to ensure that these demands do not flare up into the manner in which we see them today, the protest fast, some members of the police force threatening to form a trade union and things of that kind?

A few days ago, I was in Madras and I asked an ordinary constable as to what was his pay. He was reluctant, shy and hesitant to tell me the figure. I assured him that I was not going to tell anybody that he had told me that. Even then, he would not tell me the figure. Then, I asked him what was the annual increment. He was still hesitant and reluctant. Then he quietly said, 8 annas, that is, half a rupee per year and then he added that it was one rupee for every two years—it was some years ago; I do not know the position now—which means that he gets increment not every year but after two years he gets one rupee. And what are the scales for the officers? We have got officers and the secretaries to the Government who get an annual increment of Rs. 100. What a disparity? Is it with these scales that we are trying to achieve democratic socialism in our country to which the Congress Party, as much as my Party, aspires? Is it democratic socialism they are going to set up in the country?

I know, a Commission has been set up of which my hon. friend, Shri Mathur is also a Member along with me and my hon. friend, Shri Hanumanthaiya. The Administrative Reforms Commission is seized of this problem. But in 17 years they could have gone into some of the problems. I remember, one of the advices that Mahatma Gandhi gave to the Congress Party was: Your first task is to reduce the disparities in pay.

अमीरी और गरीबी के बीच में जो खाई है, उसको दूर करना चाहिये ।

Even today, I am sorry to say, that the scales of pay and even increments are almost the same as they were in the British regime.

Then my colleagues talked about the other disabilities under which the Police force suffer. I know a case

personally in Madhya Pradesh. I would not mention the name. An I.G. of Police got a house built for him with what he called Shramdhan. Now 'Shramdhan' is a fashionable word. In olden days it went by the name of 'begar'. It has been abolished by the Constitution. Now it goes by the name of 'Shramdhan' and so it is lawful and Constitutional. Hundreds of constables carried bricks and did all sorts of menial labour to build this house for the I.G. of Police in Madhya Pradesh.

An hon. Member: When?

Shri Hari Vishnu Kamath: That was in about 1957-58, i.e., after the Congress Party came to power and not in the British regime. They would not do it; they are more stirct and disciplined.

All these things are happening. I can catalogue many more things, but for lack of time I would not like to inflict it on you and on this House.

Now I will come to the main point, the main problem, with which we are faced, i.e., whether the Police could be allowed to form a trade union or should not be allowed. Article 19 is the relevant Article under which reasonable restriction could be imposed in the interest of public order, morality, etc. That, I believe read with Article 33 is the genesis of this Bill. Together they give the substance, the course of action so to say, for this Bill.

If I understand aright, a trade union once formed is also accompanied by the right of its members to strike. I do not know whether I am correct to say that. But I think that is the proper conception. The members of a trade union have a right to go on a strike. If a trade union is allowed to be formed by the Police, then the right to strike inevitably follows and it will be a disastrous thing if a policemen is to be allowed to exercise that right. We have got here a Bill which must be carefully considered by the members of the House because it poses the question as to how to reconcile the exercise of fundamental rights with the security of the State. The Police is for internal security and the Armed Forces are for external security. The Armed Forces are not allowed to form a trade union nor do they have the right to strike. So also it is a wise thing to ensure that the Police are not allowed to form a trade union which includes the right to go on a strike because that will make any Government, whether it is Congress Government or Communist Government, collapse. My friend talked about the Communist Governments granting the Police the right to strike. I am sure any Government will collapse if the Police get the right to strike.

Now what is the position in other democratic countries? I have got a note—a very useful note—prepared by our competent Research and Reference Section of the Secretariat.

Mr. Deputy-Speaker: The hon. Member will try to conclude.

Shri Hari Vishnu Kamath: I will just take two more minutes and finish.

I am not going to bore the House with the detailed position obtaining in other democratic countries. I have studied the entire note and I find that the practice obtaining in Britain is a very wholesome and healthy one. Every one of us knows—most of us have been there and even those who have not been there have read about it—how admirably efficient the Police forces are in Britain and how they are friends as well as guardians of the people. I think this bears repetition. It is only half a dozen lines. I will read out the practice obtaining in Great Britain today and how it has been evolved during the last few years.

> "Trade unions are not permitted for the armed forces or the police. Efforts to form a police union were made just before the First World

[Shri Hari Vishnu Kamath].

War and there were police strikes—the first fairly effective in London—in 1918-19. The result was the Police Act of 1919 which made it illegal for police to be members of a trade union but allowed representatives of the various grades to make formal representations."

That also—to make representations—, I think, will be allowed if this Bill is passed into law.

"In September, 1953, these were replaced by a new Police Council for Great Britain, a negotiating body on Whitley Council lines. It consists of an official and staff side, under an independent chairman, with the right to negotiate agreements on wages and conditions and when necessary, to go to arbitration, though the Home Secretary and the Secretary of State for Scotland have the power to reject or refer back such agreements."

Mr. Deputy-Speaker: We will conclude now.

Shri Hari Vishnu Kamath: One word more and I have done.

Shri Nambiar: Let Government bring forward something like that.

Shri Hari Vishnu Kamath: I am, therefore, entirely for this kind of Police Council on Whitley Council model and I do hope that the Home Minister, who was formerly the Defence Minister, would give a careful consideration to this aspect of the matter. As the present Bill makes no provision for this Council but refers to the right to set up a trade union with the express sanction of the Government without any reference to such a Whitley Council, I am sorry I for one at this moment, unless the position is made clear by the Government with regard to this aspect of the matter, cannot give wholehearted support to this Bill but I extend only a partial support to the Bill before this House.

Shri D. C. Sharma (Gurdaspur): I yield to none in this House so far as the services rendered by the Police to this country are concerned, so far as the valuable services rendered by the Police on the 7th of this month when a very big insurrection was masterminded by some sections of the people, are concerned. If the Police had not been active on that day, perhaps things would have looked very different in this Capital.

I also sympathise with the Police force because whenever they open fire or do something to preserve law and order, the Opposition members start crying that there should be a judicial inquiry, they start clamouring that this matter should be referred to a judicial kind of body. This makes the Police sometimes very hesitant to take the right kind of action and for that, I think, the Opposition is responsible more than anybody else. It is they who try to sow in the minds of the people of this country seeds of distrust of the Police force. It is they who try to undermine their prestige, their power and their capacity to stand by the country and to serve the country. At the same time I cannot forget that I am one of those unfortunate members of this House—there may be many more also—who have not seen that useful document from which Mr. Nambiar read extensively. That does not matter. You can understand what kind of document it is, how it has been drafted and to what kind of person it has been sent. That does not matter. Even without going into that thing, I must say that the Policemen in the city of Delhi and New Delhi, the Policemen all over India, especially the Policemen at the lowest rung of the ladder, Constables, Head Constables, ASIs and all those persons who occupy very small places in the Police cadre, must feel the glow of freedom and must feel that they are living in a Welfare State. Who would say that they should not get interim relief?

Who would say that they should not get proper housing? Who would say that they should not get the proper kind of uniform? Who would not say that they should get some kind of promotion all along the line? Who would not say that they should not be made victims of favouritism and nepotism? I think no sane citizen of India, to whatever party he may belong, will demur to these suggestions. I know that the Home Minister Shri Y. B. Chavan is going to consider these things favourably and is going to make the policemen feel happier than before, more secure than before, more contented than before, and I have no doubt about it. I say this for one reason. Sir, I come from a border district. In my border district, there are so many check-posts and in those check-posts there are persons who belong to the border security force. I have visited those check-posts, and I have been bringing the grievances of those persons to the notice of the ex-Defence Minister and to the Home Minister in my State and I must say this good thing of Shri Y. B. Chavan; I am not trying to flatter him; it is no use flattering any Minister here because you do not know what may happen to them tomorrow. But I may submit very respectfully that Shri Y. B. Chavan has improved the lot of those persons who belong to the security police. He has given them better salaries, better amenities, better facilities for travelling and he is going to do something also about the education of their children.

I should say that the police force deserves a better deal. But is this the way of getting it with a trade union? What is the map of trade unionism in this country? One trade union is run by one political party, namely the Indian National Congress; another trade union is run by the Left Communists; a third trade union is run by the Right Communists; a fourth one is run by the Jan Sagh; a fifth one is run by the PSP and a sixth one is run by the SSP, and then there are some trade unions which are run by non descript persons like my hon. friend Shri S. M. Banerjee. We find thereore that the map of trade unionism in this country is so variegated.

श्री बागड़ी : क्या बिना पुलिस के सहारे ही चल रहे हो।

श्री स० मो० बनर्जी : बाहर निकलो, पुलिस वाले पकड़ लेंगे।

Shri D. C. Sharma: Do you want to destroy the unity, solidarity and the cohesiveness of the police forces that we have in India today by having trade unionsim in the police force also? If you want to do that, then you are welcome to have trade unions; then you will have trade unions formed on political lines, trade unions formed on economic lines, trade unions formed on linguistic lines and trade unions formed on communal lines, there will be Hindu trade unions and there will be trade unions belonging to another section and so on. Therefore, I would say that for God's sake, do not destroy the unity of the police force, the unity of thought, the unity of organisation and the unity of action they have and their unity of devotion to the country by having this kind of trade unionism among them. Therefore, I would say that trade unionsim should not be allowed among the plicemen.

Shri S. M. Banerjee: There will be more unity if the union is there.

Shri D. C. Sharma: I know what kind of unity my hon. friend is wanting to bring about; he and I are very good friends and so, I know it.

श्री बागड़ी : क्या इसी लिये उन का संगठन नहीं होने देते।

Shri S. M. Banerjee: I am his disciple.

Shri D. C. Sharma: If he is my disciple he should come over to this side.

So, I submit that this Bill is not against anybody. It is not against the police force. It is not against any

[Shri D. C. Sharma].

section of people. This Bill has been brought forward in order that the integrity of this country may be preserved. And the police force and the Army are the champions of this integrity.

I would submit that those persons who are supporting this Bill are greater trade unionists than anybody else, My hon. friend Shri Sham Lal Saraf has said that trade unionism gives ther right to strike and the right to policica] bargaining and so on. Since we are not going to allow trade unionism among the police force, I would submit that Government should keep in touch with the police force and see that their grievances are redressed at the earliest possible opportunity.

डा० राम मनोहर लोहिया (फ़र्रुखाबाद) : उपाध्यक्ष महोदय, पुलिस संघ बनाने की इतनी बड़ी आवश्यकता है, न सिर्फ इस लिए कि पुलिस के 15 या 16 हजार लोगों के हित की, रक्षा करनी है बल्कि इस लिये भी कि दिल्ली के नागरिकों, और इस तर्क के आधार पर भारत के समस्त नागरिकों, को व्यवस्था और अमन चैन की नई शक्ल दिखानी है।

आज कानून और व्यवस्था अपने देश में नहीं है । पुलिस का यह फ़र्ज है कि अपराध रोके । जब रोक न पाये तो उन अपराधों को प्रकट करे ताकि या तो अपराधियों को सजा दी जा सके या उन्हें सुधारा जा सके। यह पुलिस का काम है । लेकिन आप बखूबी जानते हैं कि अपराधियों में जो असंगठित और बिखरे हैं, साधारण लोग हैं उनहें पुलिस पकड़ लिया करती है, लेकिन जो संगठित अपराधी हैं, जो अफीम, चरस, गांजा शराब इत्यादि का सेवन करते हैं, सोने की तस्करी किया करते हैं, उन को न सिर्फ पुलिस छूट देती है, बल्कि उन में हिस्सा भी बंटाती है । जब मैं पुलिस कह रहा हूं तो पुलिस के बड़े लोगों से भी मतलब है, और बड़ों में गृह मंत्रालय से नीचे तक यह जाता है । सब हिस्सा लेते हैं । सिर्फ इतना ही नहीं बल्कि जो साधारण नागरिक अपराध के रास्ते जाते हैं उन में से कुछ तो पकड़े जाते हैं, मगर उन के साथ साथ जो बहुत गरीब होते हैं, जिन्होंने अपराध कभी किया नही उन्हें भी पकड़ लेते हैं और उन को यह रोज जबर्दस्ती आदतन अपराधी बनाया करते हैं । जाब्ता फौजदारी का अध्याय पांचवा हमारे यहां लोगों को अपराधी बनाने का नुस्खा बना हुआ है ।

मैं समझता हूं कि इस पुलिस यूनियन से गृह मंत्री जी को और दूसरे लोगों को इस लिये भी ज्यादा तड़पन हुई है कि शायद उस से एक नया संगठन शुरू हो जाय जिस से खास ढंग के अपराधों में कमी आ जाये। मुझे तो यह भी पता लगा है कि जब से यह पुलिस संगठन वगैरह बनने वाला है तब से अपराधों पर बड़ी निगरानी होने लगी है क्योंकि कभी एक या दो इक्का दुक्का पुलिस का नीचे का आदमी पकड़ा गया हो तो बात दूसरी है लेकिन अगर कहीं कोई बड़ा अफसर अपराध करता हुआ पकड़ा जाता है, और कोई उस को प्रकट करने की हिम्मत कर भी जाये, तो वह फौरन दबा दिया जाता है । लेकिन अगर पुलिस संगठन की उस के लिए रक्षा हो जाये तो ऊंचे स्तरों पर होने वाले अपराध को खोल कर रखने का साहस उसमें आ जायेगा और ऊंचे स्तरों पर जो कार्रवाइयां होती रहती हैं उन को रोका जा सकता है । यह इसलिए भी जरूरी है कि आज अगर आप पुलिस के आन्तरिक संगठन को देखें तो आपको पता चलेगा कि पुलिस में 16,000 आदमियों में से दिल्ली में ज्यादा तर को करीब करीब भेड़-बकरी और जानवरों की तरह इस्तेमाल किया जाता है । दूसरे देशों का यहां जिक्र किया गया । यहां आठ घंटे रोज उनकी ड्यूटी लगती है । चाहे अमरीका हो, चाहे इंग्लैंड हो । लेकिन हिन्दुस्तान में चौबीस घंटे की पाबन्दी है । यहां 18-18 घंटे की ड्यूटी है । ड्राइवर

वीदार सिंह, पुरहती पुलिस लाइन गाड़ी नम्बर डी० एल० पी० 3454 से 7-11-66 को 18 घंटे, 8-11-66 को 16 घंटे, 9-11-66 को 13 घंटे और 10-11-66 को 19 घंटे काम लिया गया । यह एक उदाहरण नहीं है, इस तरह के कई उदाहरण हैं । 16-16, 17-17 और 19-19 घंटे उन से ड्यूटी ली जाती है । आखिर यह क्या तमाशा है ? क्या नतीजा निकलेगा इसका ? मेरे पास इस तरह के पांच छः उदाहरण हैं जिन में उनको 8-8, 10-10, 15-15 और 24-24 घंटे ड्यूटी देनी पड़ी है । एक बार एक हड़ताल हुई, सी० ओ० डी० में, छावनी में । उस हड़ताल में रेलवे लाइन के ऊपर पुलिस वालों को सात बजे शाम से लगा कर सुबह सात बजे तक काम करने के लिए कहा गया । बारह घंटे की लगातार उन से ड्यूटी ली गई । अगर ऐसे मौकों पर पुलिस वाले जानवरों की तरह व्यवहार हड़तालियों या नागरिकों के साथ कर लेते हैं तो उनकी जिम्मेदारी उन पर नहीं आती है, उन अफसरों पर आती है जो उन्हें बारह बारह घंटे तक बिना सोए हुए काम में लगाये रखते हैं । उन्हें जानवर बना दिया गया है । इतना उनका हाल खराब है ।

इसी तरह से आप देखें कि यहां जो पुलिस वाले हैं उन में से कितने सिपाही हैं और कितने दूसरे हैं । सिपाही कुल 10,407 हैं । उन में केवल 1190 को घर मिले हुए हैं यानी ग्यारह प्रतिशत को घर मिले हुए हैं । जो हैड कांस्टेबल से एस० आई० तक हैं उनकी कुल संख्या 3945 है और उन में से 521 को घर मिले हुए हैं यानी 13 प्रतिशत को घर मिले हुए हैं । इंस्पैक्टर से ऊपर वालों को अब आप लें, इंस्पैक्टर जनरल, सुपरिन्टेंडेंट पुलिस वर्गरह को लें, उनको बड़े बड़े घर मिले हुए हैं, हर एक को मिले हुए हैं । एक एक एकड़ में उनके बंगले हैं । यह सारा संगठन अपने देश का इस तरह से आप देखें बरबाद हो चुका है । एक तरफ आप देखें कि पंद्रह हजार साधारण सिपाही हैं जिन को घर नहीं मिलता है और अगर घर मिलता भी है तो आप देखें कि उनकी कैसी हालत होती है । इसी संसद् की सड़क के ऊपर एक कोने में आप जा कर देखें । वहां ऐसा मालूम होता है कि जानबूझ कर उनको जानवरों की तरह से रखा जा रहा है। वहां बिजली काट दी जाती है, पंखा उनको नहीं मिलता है । यह संसद् सड़क के ऊपर जो थाना है वहां इन लोगों को बिल्कुल जानवरों की तरह रखा जाता है । दूसरी तरफ बड़े लोग हैं जोकि पांच पांच, दस दस और दो दो और चार चार एकड़ जमीन पर महलों में रहते हैं । हर एक को महल मिलता है, हर एक को मकान मिलता है । अगर आपके पास जगह की कमी है तो क्या जरूरत है बड़े अफसरों को इतने बड़े बड़े मकान देने की ? अगर जगह की कमी है तो क्यों नहीं बड़े अफसरों को छोटे मकानों में रखा जाता है और जो जगह बचती है उसका इस्तेमाल सब पुलिस वालों को मकान देने में किया जाता है ?

सारा रोग घूम फिर कर अपने देश के बुनियादी संगठन की तरफ आ जाता है । हमारे देश में सिपाही और इंस्पैक्टर जनरल के वेतनों को मेहरबानी करके आप देखें । मेरे शब्दों को आप याद रखें । मैं वेतन खाली कह रहा हूं, तनख्वाह की बात मैं कह रहा हूं, मकान की नहीं तथा दूसरी सुविधायें की नहीं। वेतन में यहां करीब करीब 57 गुना का फर्क है । जिस अंग्रेज की चर्चा श्री कामत कर रहे हैं । मैं वहां सिपाही और सुपरिन्टेंडेंट पुलिस के वेतनों में सिर्फ दो गुना का फर्क है, सिर्फ दो गुना का और अमरीका आदि दूसरे देशों में दो गुना, तीन गुना चार या पांच गुना का फर्क है । यहां 57 गुना का फर्क है सिपाही और इंस्पैक्टर जनरल के वेतनों में। अगर सुविधाओं को गिन लो तो पता नहीं पांच सौ और

[डा० राम मनोहर लोहिया]

छः सौ गुना का फर्क हो जाएगा । वे कोई आदमी थोड़े रह गए हैं ?

यहां तो दो बातें हो गई हैं । एक तरफ तो बड़ा आदमी है और दूसरी तरफ जानवर । जब भारत का संगठन इस तरह से बनता है तब उसके बाद आप चाहते हैं कि वे जानवर लोग जो अपना संघ बना कर अपनी हालत सुधारना चाहते हैं और देश की भी, उनको दबा दिया जाए? कानून की तरफ भी आप ध्यान दें । अपराधों की तरफ भी आप ध्यान दें । एक बड़ी मनमानी वाली इत्तिला मैं आपको देना चाहता हूं । सात नवम्बर को श्री कामराज जी के मकान के सामने जो बन्दूक वाला सिपाही रहा करता था गृह सचिव के आदेश से उसकी बंदूक उसके हाथ से हटा ली गई थी। वहां एक और लेविस का आदमी था जिस के हाथ में पिस्तौल थी लेकिन वह सिपाही की बंदूक हटा ली गई थी । बंदूक छः तारीख को थी, पांच को थी, सात को क्यों हटा ली गई ? अब बात साफ यह होती है कि अपने देश में, अपराध कत्ल के, मौत के साधारण हो गए हैं । कानपुर में चन्द्र शेखर, प्रतापगढ़ में सिंधरौली की रानी, और किस किस को मैं गिना दूं ? बस्तर के राजा भी हैं । और इत्तफाक से श्री कामराज के ऊपर भी वार होने वाला था । वहीं बड़े लोग जो सारे देश को चौपट किए हुए हैं कत्ल और खून का इस्तेमाल भी अपने राजनीतिक स्वार्थों के लिए करने में हिचकते नहीं हैं । ऐसी अवस्था में मैं आपसे बहुत जोर से कहना चाहता हूं कि जरा उन दो पुलिस वालों की तरफ भी आप ध्यान दें जिन में से एक का नाम जेम्ज है और जो 14 अगस्त 1966 को यानी कुछ ही महीने पहले सुई लगने से मर गया था, उसकी मौत हो गई है पुलिस लाइन में । उसे कोई पूछने नहीं गया, कोई जांच नहीं हुई, कोई उसको सहायता नहीं मिली । उसी तरह से एक दूसरा सिपाही सूरज पाल बारह साल से नौकरी पर था, नौकरी करते करते अमन चैन करते करते उसकी टांग टूट गई । वह साढ़े पांच महीने अस्पताल में पड़ा रहा । यह लोक कल्याण जो पुलिस वालों के लिए बना है कोई मदद उसको उस तरफ से नहीं दी गई । अगर वे जैसा उनके साथ व्यवहार होता है, उपनी सारी बातों को भूल कर हमारे ऊपर जंगली बरताव करने लगते हैं तो मैं उसको समझ सकता हूं, उसके लिए उनको दोषी नहीं कहता हूं, मैं दोषी कहता हूं गृह मंत्री और अफसरों को जो उन्हें जानवरों की तरह रखते हैं । अगर इस बात को बदलना चाहते हो तब फिर सही मानों में अमन, चैन और कानून और व्यवस्था के अर्थ को आपको बदलना पड़ेगा । लोग कहते हैं कि अगर ये पुलिस वाले संघ बना लेंगे तो राज कैसे चलेगा । मैं समझता हूं राज और अच्छा चलेगा क्योंकि उस में व्यवस्था का मतलब बदल जाएगा । अफीम, चरस गांजा, भांग, शराब, तस्करी नहीं चलने पायेंगे । लेकिन यह हो सकता है कि ऐसे लोग जो पुलिस संघ में काम करते है जो सिपाही हैं या दूसरे हैं जब ऐसा मौका आए तो अपने अफसरों से यह कहें कि तुम्हारा जायज हुकम तो हम मानेंगे, लेकिन तुम्हारा नाजायज हुकम हम नहीं मानेंगे । आज भारत में सब से ज्यादा खराबी यह आ गई है कि कैसा भी हुकम हो उसको माना जाए । मुझे तो ताज्जुब होता है कि क्यों गृह मंत्री जी इस बात को नहीं समझते हैं । आज उनकी चल रही है । लेकिन कभी ऐसा मौका आ सकता है जबकि कोई अफसर, मन फिरा अफसर कह दे कि काम तो तमाम करो इन चह्वाण साहब का । तब आप कहोगे कि हुकम मान रहा था? हुक्म दो तरह के होते हैं, एक उचित और एक अनुचित । मैं पुलिस के सिपाहियों को कहना चाहता हूं कि अनुचित जो हुकम हैं, जो अनुचित आदेश हैं उनको मत मानो । उसके साथ मैं कहूंगा कि याद रखो कि पुलिस संगठन को चलाने में हमारे जैसे लोग आपकी आखिर तक मदद

करेंगे और आखिर यह सरकार कितने दिनों की है ? यह भी तो बहुत जल्दी खत्म हो रही है।

Dr. L. M. Singhvi (Jodhpur): Mr. Deputy-Speaker, in my respectful submission, the question is not of the constitutional validity or the administrative expediency of this measure. If we were to look for a constitutional warrant for this present legislation, we would naturally go to art. 33 of the Constitution which very clearly says that 'Parliament may by law determine to what extent any of the rights conferred by this Part shall, in their application to the members of the Armed Forces or the Forces charged with the maintenance of public order, be restricted or abrogated so as to ensure the proper discharge of their duties and the maintenance of discipline among them'. So far as the question of administrative expediency also is concerned, the underlying principle of the Bill itself is demonstably clear and convincing.

The question that concerns us most, however, is that of the conditions of service which have brought the morale of the services as a whole including the police service, to the lowest ebb in the history of this country. It is this which should be debated by this House, it is this which should form the concern, arouse the concern, of the House as a whole.

The move for organising the police forces into some kind of an association is a symptom of a malady, and the malady goes very deep because it touches of the warp and woof of the lives of the policemen in this cuntry, indeed of the lower cadres of civil service in all the segments of the State's activities.

15.00 hrs.

I think and I hope that the police forces will find in the new Home Minister a sympathiser and a friend in so far as their conditions of work are concerned. It seems that their conditions of work are such as to give cause for alarm, not only concern but cause for alarm, because their salaries are extremely low. The problems posed by rising prices are problems which have proved to be unsurmountable in the lives of these very low paid officials. The hours of work are long, the conditions of work difficult, trying, strenuous.

After all, a policeman is just another citizen with some trappings of arms in his hands, and today nobody can say that his work is not considerably hazardous, nobody can say that his conditions of work have not deteriorated; in the present circumstances it is almost impossible for a common policeman to keep his body and soul together.

That is why we find that even after independence, a man of the stature and eminence of Mr. Justice Mulla levelled serious accusations and serious allegations againt the police force as one of the most criminally inclined band of persons. That was not an ordinary indictment, and it came from a man who had a life-long concern with the administration of justice....

. . . .

Shri K. C. Sharma (Sardhana): The Supreme Court upheld the other side.

Dr. L. M. Singhvi:....who had a a deeper understanding of law and order.

If there are factors which influence the morale of the services or of the police forces, I think the Government of this country and this Parliament must take serious notice of it at the earliest opportunity. This has not been done, and although we are assured, reassured, that the Administrative Reforms Commission is now said to be seized of the matter, I do not know whether it is proper and befitting for the Government to wait to solve this problem which is so obvious, which is so compellingly clear to any one who would merely care to look at the conditions of service of these policemen.

It is not only the question of physical conditions of work. It is a question

[Dr. L. M. Singhvi].

which also goes to some of the primary precepts of occupational psychology. Those who are interested in the process of administration would recall the Hawthorne experiment which demonstrated the importance of psychological conditions of work. It was clear from this experiment, although perhaps the precepts of this experiment can be overplayed and over-emphasized, that unless there are proper psychological conditions of work, the morale of the services cannot be very high.

I should like very briefly to quote an eminent authority or the morale of the services, who says.

> "However high you raise the pay, however attractive you make the jobs to the sort of recruits you want, whatever mechanical and other devices you introduce to save human labour, you will not, by these means alone, extract from your organisation the highest quality or greatest output of work of which it is capable."

Of course, this is a far cry in the Indian context. Today, not to speak of the psychological job satisfaction provided to those in the services, there is the question of the bare minima of material physical conditions of work for those who are in the services, and it is this which the country should take note of at the very earliest opportunity, because the move to organise the police forces, after all stems from the extremely agonising, extremely trying and strenuous conditions of work in which the police forces, as indeed many other lower rungs of the civil service ladder, find themselves.

It is necessay, therefore, to salvage the morale of the services, it is necessary, therefore, that the Government should concentrate its efforts on ensuring that the services are able to give their best in the service of the country.

I should like, in this connection, to acknowledge that in almost all the advanced countries of the world, in Canada, in France, in U.K., in USA, there exist similar, analogous restrictions which are sought to be imposed by this Bill, but, as my hon. friend, Mr. Kamath, referred, it is necessary to provide for some kind of in-service, in-built, organisation for redress of grievances, for taking up their service demands.

For example, in the United Kingdom there existed a Police Federation which had advisory functions, and since 1953 there exists a system by which a Police Council has been brought into existence with a negotiating body on Whitley Council lines. It consists of an official and staff side under an independent Chairman, with the right of negotiating agreements on wages and conditions, and, if necessary, to go to arbitration. though the Home Secretary and the Secretary of State for Scotland have the power to reject or refer back such agreements.

It is this kind of machinery which should have been incorporated in this Bill. It is pefectly permissible for the Government to bring about the legislation which they have brought up under article 33. There is, as I said, constitutional warrant as well as the dictate of administrative expediency for imposing these restrictions on the police forces as well as the armed polices, but at the same time such an administration restriction alone cannot be the answer. One would have liked very much, therefore, that this Bill itself should have included in it some machinery for a Police Council on the Whitley Council lines, some provision for a negotiating body, some machinery, some institutional framework where the policemen could ventilate their grievances, and these grievances would be dealt with in a sympathetic manner. If this is not done, let me warn the Government that the spent up feelings in the services, the fast declining moral in the services, is bound to find outlets which would not be good for the preservation of democracy.

I would also like to say here that in France, where a similar restriction was imposed, it was possible for the policemen, whose service grievances were not attended to, and were not listened to with sympathy, to paralyse the life of the community at least for some time. We do not want this to happen in this country. We do not want any political penetration or any political infiltration in the forces which are charged with the responsibility of keeping law and order in this country. It is, therefore, a timely warning that I should like to utter that these service grievances, that these problems of morale, of conditions of service, of the psychology in which these services function, should be attended to with the utmost expedition, and with the utmost sympathy, because it is on this foundation that even the democratic State, the democratic Republic of India, rests. If you tamper with the administrative framework, if you allow the administrative framework to be demoralised, if you do not produce conditions which are conducive to the most efficient functioning of the services, there is bound to come a day when the paralysis that would be produced in the services would undermine and would uproot possibly the democratic framework itself.

It is, therefore, in this spirit that I would like the hon. Minister to reply both in respect of the conditions of service of the police forces as well as to give an assurance to the House that some machinery would be devised, would be brought about, where service grievances and service difficulties can be ventilated and dealt with in a sympathetic and appropriate manner.

Shri N. C. Chatterjee (Burdwan): Mr. Deputy Speaker, Shri Kamath was right when he said that I was the chairman of the first Police Commission in India and I had to tackle this problem very closely. With me was associated a very big communist leader—naturally, as Mr. Namboodiripad appointed that Commission and he is today the Advocate General of Madras, a brilliant lawyer—Mr. Mohan Kumaramangalam. Besides him there were other trade union leaders and we all came to the conclusion after taking evidence that we should not allow police forces to be linked up with any political association or trade union with any political affinity. I think it was a correct decision. I did so not because I was appointed by the communist Government. The communist Government was dismissed and I thought I had finished my task and I would not have to go on but both Mr. Nehru and Pandit Pant who was then the Home Minister asked me to continue and I continued and I had the opportunity of having consultations with the next set up which was entirely opposed to the old set up. After hearing them all, I came to that conclusion.

We have still got the old habit of approaching the police problems with antipathy. During the British regime, the country was struggling against the foreign rulers and the police was used as an engine of oppression and tortured the freedom fighters and therefore, that particular hang over is still there; it is rather undesirable. It is absolutely correct that in England which has maintained a very efficient and capable police force they have got a legislation which puts a ban on association with political parties. I have considered the point Mr. Shinkre raised and and I was myself troubled whether this Bill was necessary or not. If the House is convinced by the hon. Minister that this Bill is necessary, there is no way out. Mere service rules will not do as they would be struck down as illegal by the High Courts or the Supreme Court. Subclause 4 of article 19 says that it does not prevent the State from making any law imposing reasonable restrictions in the interest of public order or morality. I do not think that under article 19(4) you can have a service rule interdicting all police officials from joining any trade union or political association. But article 33 deliberately puts down; the heading itself is: "Power to Parliament to modify the rights conferred by this part in

[Shri N. C. Chatterjee]

their application to forces." The forces mentioned are: the Armed Forces or the Forces charged with the maintenance of public order. So, the Constitution says that restrictions can be imposed by parliamentary legislation; there is no way out and the Minister is right in bringing in this Bill.

This kind of legislation is in England and if I am not wrong in Canada, Australia and probably in France also. Therefore, it is nothing extraordinary. The only thing that is to be said is this. We know the police is faced with very difficult and delicate situations. I was a member of the non-official commission appointed to deal with the police excesses and firing in Bengal with regard to the food movement. I had two very eminent colleagues—the ex-Chief Justice Mr. Sarjoo Prasad and Justice Mulla of the Allahabad High Court. We condemned the indiscriminate police firings and excesses. We ought to tell you and I think Home Minister should know that it is absolutely wrong to say that any political pressure was put by any parties with regard to the food agitation. The political parties were not there; there was a spontaneous upsurge due to acute distress caused by a hopeless breakdown of modified rationing. There were firings and other things and certain cases of arson which everybody deplored. But actually not in one case could we find any boy or any man who was killed when he was actually committing any act of arson or vandalism or destruction of public property. Supposing a jeep car was burnt at 9 o'clock in one place, you will be amazed to know that at 3 o'clock some police force is brought from Durgapur and they started firing, but not on the man who actually committed the crime but indiscriminately. This kind of thing should be stopped. I am sorry to say that the police forces drafted from outside the State really did these things. The Bengal police behaved on the whole well. I do not want to name them but the police which was brought from outside from Bengal felt: we have come here to teach the people a lesson. They started teaching the people a lesson by this kind of indiscriminate firing. That should not be done.

On the 7th November here in Delhi the Delhi police behaved very well. I have not merely heard some of the eye witnesses; I heard people who were connected with the movement. They have assured me that on the whole the Delhi police behaved very well under very difficult and dangerous circumstances. Actually one Delhi police man was killed—not the police man who were brought from outside. If there was any tension created by police excesses, that was not done by the Delhi police but by others brought from outside.

I want the Minister to say clearly one thing. Mr. Chavan is known to be a democrat and I hope although he is the Home Minister he has still some instinct of democracy left in him. He must clearly say that he is not banning all associations. If that is the intention this Bill should be fought tooth and nail by every Member not only on this side but by all who believe in democracy. You cannot shut out consultations. I can understand that political associations should be banned or that trade unions with political activities should be banned. But there must be some organisation whether you call it the police commission or the police council whereby the grievances can be focussed and communicated to the Minister and higher authorities and brought before Parliament if necessary. You cannot ban all associations. I do not think that it is the intention to interdict completely any kind of association. May be the penalty imposed is too high. If the Minister makes it clear that there shall be normal methods of communication, associations unconnected with political parties manned by police forces which will focuss their grievances and place them before the authorities acting in a constitutional manner, then there could be no opposition. But if that is in any way

banned and it goes so far as to stop all communications and all dialogue between the ruled and the rulers, between the ministry and the police forces, then we should all oppose and this should not be adopted by the House because that will create danger ahead and it will be unfair and grossly inequitable and against the spirit of both the Constitution and democratic Government.

Mr. Deputy-Speaker: The hon. Minister.

श्री जगदेव सिंह सिद्धान्ती (अम्बर) : माननीय चह्वाण साहब, अपने समय में से दो मिन्ट मुझे दे दीजिये, फिर आप बोलिये ।

The Minister of Home Affairs (Shri Y. B. Chavan): I have been called by the Deputy-Speaker:

Mr. Deputy-Speaker: All right; let him say a word.

श्री जगदेव सिंह सिद्धान्त : माननीय उपाध्यक्ष महोदय, मैं जब हाउस से निकलता हूं और अपनी 9 फुट लम्बी और 9 फुट चौड़ी कुटिया में पहुंचता हूं, सारे दरवाजों पर जहां भी पुलिस का जवान मिलता है, कहता है कि क्या कर रहे हो ? मैं आदरणीय चह्वाण साहब से यह कहना चाहता हूं कि इन बहादुर सिपाहियों और जवानों को भिखारी मत बनाइये, ये राष्ट्र के रक्षक हैं, इन को गुजारा करने का पूरा साधन दें, आप यूनियन बनाने दें या न बनाने दें यह आप की मर्जी है, लेकिन यदि आपने इनकी तरफ ध्यान नहीं दिया, तो वह सैलाब आयेगा जो न सरकार को बख्शेगा और न जनता को बख्शेगा । बस मैं इतना ही कहना चाहता हूं ।

Shri Y. B. Chavan: Mr. Deputy-Speaker, Sir, I have heard all the speeches with all the attention that they deserved. I must say that those Members who have opposed this Bill, and certainly those who supported the Bill also have certainly done one good thing; that they have certainly highlighted the purpose of this Bill, the purpose for which this Bill is being brought forward. I need not go into the constitutional aspect of it, because most of them who supported the Bill have said that it is essential. But one argument has been repeated by more than one Member, and that is, why is it that this Bill was not contemplated so long, for the past 15 or 16 years after the Constitution had made this provision, and why is it that it is only now that the Government is thinking of bringing in this Bill.

Some hon. Members have asked whether the Govermnent have lost their confidence in the police force or whether the police forces have lost their faith in Government. I would say that nothing of the sort has happened. Even while speaking on the motion for consideration of the Bill, I said that I have nothing but praise for the way the police force has functioned in this country; even in this city, the latest proof, if proof was needed, was seen on the 7th November. And therefore, it is not that we have lost our confidence in the police force. Our confidence is there as it was before, and it will continue to be there for days to come or for years to come. But certainly I have lost confidence in some of the agencies which are trying to tamper with the loyalties of the policemen. That really speaking is the wrong that has been done. Even now, unfortunately, the hon. Member Dr. Lohia made a speech as usual; he never cares about what other people have to say about it. He appealed to the policemen, and he told the policemen not to obey orders if they consider them improper. He has given this right or discretion to the policemen, to decide what is proper and what is improper. He has given this right to the constable. The constable has to work on occasions immediately and he can only act on the orders of his superiors. Whether the superior has given a proper order or an improper order, is a matter for which there are other ways of judging.

Shri Joachim Alva: If he says it outside the House, he will be liable to prosecution.

Shri Y. B. Chavan: If such speeches can be made by such responsible people on the floor of the House, we have all to listen to them; and the whole country listens to them; we are

[Shri Y. B. Chavan]

all responsible leaders and we should not make such speeches, in respect of the duties of the policemen. But this is being supported and that is what is happening in this city. Speeches have been delivered and wrong types of instigation have been resorted to. But it is, really speaking, very creditable to the police force that despite all this instigation, they still remain good; it is certainly creditable them.

I do concede one thing. There are grievances of the police force. I must concede that. I have almost one half of my public life been dealing with police problems. Before I entered the high offices of Government, along with many other political workers in this House, or in this country, we had to deal with police personnel. Later on, I dealt with these problems for six years as Deputy Minister in the Home Department; later on, as Home Minister for nearly 12 years I have been dealing with the police problems, and I do concede that there is certainly a large scope for looking into the problems of the police. Let me say this with all the sincerity that I can command: that I consider, as the Home Minister, the head of the family called the police force. I think it will be my duty and my responsibility to say that I am responsible for piloting this Bill in this House, and I must assure this House and at the same time assure the policemen of Delhi that it is not only my legal responsibility and duty but my moral duty and responsibility to see that their genuine grievances are redressed and redressed sooner rather than later.

15.25 hrs.

[SHRI SHAM LAL SARAF *in the Chair*]

Shri N. C. Chatterjee: An association for that purpose.

Shri Y. B. Chavan: He has referred to that, and I will not conclude my remarks without replying to that point. Let me say that this Bill is not against police force; it is not against the members of the police force; it is not for punishing them. But there has been propaganda outside that this is a *Kala Kanoon*. I must say it is not so. When it is found that it is necessary to have associations, and associations are permitted even under this Bill, when we feel that associations are becoming necessary, than that is the time when we will come before this hon. House for a law which will ultimately permit them to have associations but in a regulated way which the Constitution itself has contemplated.

Shri Nambiar: This Bill does not give any inkling of such a thought.

Shri S. M. Banerjee: Accept the amendment.

Shri Y. B. Chavan: I think they can have an association with the previous sanction of the Government.

Shri S. M. Banerjee: How, unless there is a provision?

Shri Y. B. Chavan: I would tell the hon. Member who is a veteran public worker, that I really was wanting to say that he should rather try to learn the law. I do not say that, but I wanted to say that, he being a veteran worker. The purpose for which an association can be had is also mentioned what is mentioned is that they can certainly have an association with the previous sanction of the Government. The idea is not to debar them from having associations for the purposes which clause 3 mentions. Certainly, it will be there. But the intention is not to allow them to get mixed up with the trade union movement.

Shri Shinkre: Not to allow trade unionists to mix with the police.

Shri Y. B. Chavan: Very much so. So, the point is not to debar them from having their own association, but it must be their own association. I do not want any political association or political influence to come in and mix up with the police force nor could any other trade union influence be mixed up with the police associations. That is really speaking, the basic approach to this problem.

As I said, I concede that the housing conditions of the police force require very immediate attention. Their service conditions certainly do require immediate attention. It was with that very precise purpose that the Government appointed a Police Commission. This Police Commission is meant for the Delhi Police. The former Chief Justice of Punjab, Justice G. D. Khosla, would be the Chairman of this Commission. Shri Ram Sharma would be a member and another very distinguished police officer, Shri B. N. Mullick, who retired very recently, will be the other member of this Commission. I would like here to read the terms of reference of the Police Commission. This Commission will enquire into and make recommendations on the conditions of service, work and living of non-gazetted members of the police force of the Union territory of Delhi, and measures necessary to promote their efficiency and welfare. Though such a Police Commission is appointed for the first time for the Delhi Police, some States have appointed Police Commissions, as Shri N. C. Chatterjee himself has mentioned. He was the head of the Police Commission for Kerala and I remember to have read some of the recommendations of that Commission and I was myself encouraged to appoint a Police Commission in Bombay in 1962, before I came here. I know many other States have appointed police commissions.

The question of housing for the police creates great problems. I remember to have discussed this question when I was Home Minister of Bombay with the then Union Home Minister, Pantji. He started a scheme of giving very liberal loans for this purpose and in the last 8 or 9 years, nearly crores of rupees have been spent to improve the housing conditions of the police in the country.

Shri N. C. Chatterjee: Are you referring pay scales also to the Khosla Commission?

Shri Y. B. Chavan: It says "conditions of service, work and living of non-gazetted members of the police force in the Union Territory of Delhi". It does include pay scales.

Shri Nambiar: It is very vague.

Shri Y. B. Chavan: It is very comprehensive. I am sure the commission would interpret the terms of reference correctly and include the necessary questions to be examined by them.

This Bill is not meant to stop some healthy activity. The intention of this Bill is to see that such activity is much better regulated. Certainly we have reached a stage when these people need to have their own association. So, it is better we give them a proper lead in this matter. This Bill is called Restriction of Police Rights Bill because that is what the article in the Constitution contemplated. But the purpose is not to come in the way of police welfare, but to help the welfare of the police in a wise and proper way.

I must repudiate some allegations made by Dr. Lohia. He himself said that he wanted to give some sensational information to the House. That is what they are interested in doing—make some sensational statement. He said some constable with a rifle standing in front of Mr. Kamaraj's residence under the specific orders of the Home Secretary . . .

Shri Shinkre: In this country, we don't have a Home Secretary; he is Secretary for Home Affairs. The term Home Secretary has got a different meaning in England. It creates a lot of confusion.

Shri Y. B. Chavan: I am talking of India, not England. I have tried to get the information. Such allegations are made without giving proper notice.

Shri S. M. Banerjee: He has made it long ago.

Shri Y. B. Chavan: I heard it for the first time on the floor of the House today. I asked our officers to get the information from the I.G. The I.G. says that there was no constable with a rifle posted outside Mr. Kamaraj's residence on 7th and no rifle of any constable was removed under the orders of the Secretary for Home Affairs. Such cheap allegations should not be made in this House.

Mr. Indrajit Gupta said that some negotiations were held with my predecessor.

Shri S. M. Banerjee: With Mr. Hathi.

Shri Y. B. Chavan: He also was my predecessor; he was Minister of State in the Home Ministry. My information is, they certainly had some discussion whether it should be called an association or union. They had some other talks also. These are the three categories. What the Home Ministry can directly deal with, the Home Ministry will deal with that. What the Minister can do, he will certainly do. But whatever remains which requires more detailed deliberation, that can be considered by the police commission.

Shri S. M. Banerjee: They were told by Mr. Hathi that they cannot have the right to strike, which they readily agreed to. I have got a copy of their constitution which says they shall not strike.

Shri Y. B. Chavan: Maybe, so. Later on some of them asked permission to see me. I refused because I did not want to get involved without knowing the full conditions. I wanted to approach it more systematically. It is much better that the constitution is properly approved, the association is properly organised and sanctioned and then they can work on that basis.

Shri Nambiar: How is it possible without your previous sanction?

Shri Y. B. Chavan: The difficulty is the hon. Member has functioned only in the trade unions and so he does not know anything about this. He will know in course of time how it can be done. You yourself said that you have no knowledge about associations of police. That is why you do not know how it can be done.

Shri Nambiar: It is a question of common sense.

Shri Y. B. Chavan: Your common-sense tells you it is not possible; my common sense tells me it is possible.

Mr. Chairman: He may kindly address the Chair.

Shri Y. B. Chavan: Yes, Sir. I am sorry.

We decided to bring this Bill now and not before because the situation has arisen now that there is a possibility that the discipline of this very important police force is likely to be tampered with by certain agencies. If you see the different agitations in the country, on many occasions you will find the police is made the target. On one side they are made the target of attack; on the other side, they are made the target of sympathy. They try to attack them from outside and they try to disorganise them from inside. That seems to be their strategy. I would appeal to this House and to the country that certainly we have our duty towards the police force and that duty will be discharged. They are a very valuable instrument of security of this country. We have their welfare and comforts nearer our hearts and we want to do our best for them.

Shri Shinkre: I raised some objection to the penalty clause No. 4.

Shri Y. B. Chavan: That is an important point. The provision in this Act is taken from the parallel provision in the Navy Act, but there is some improvement in this because the alternative of fine is provided upto Rs. 2000; that is the maximum. In the Navy Act, there is no provision for fine as an alternative. The hon. Member need not get unnecessarily frightened about it.

Shri Shinkre: My worry is only whether it is constitutionally correct or not.

Shri Y. B. Chavan: Constitutionally it is very much correct; the hon. Member need not worry about it. How is it that we have this provision? Because this very provision is made for the police force on the lines of the Acts for the navy, army and air force, this provision for penalty is on the same parallel.

Mr. Chairman: The question is:

"That the Bill to provide for the restriction of certain rights conferred by Part III of the Constitution in their application to the members of the Forces charged with the maintenance of public order so as to ensure the proper discharge of their duties and the maintenance of discipline among them, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Clause 2—(*Definition*)

Mr. Chairman: We shall now proceed with the Bill clause by clause. There are some amendments to clause 2. Does any hon. Member want to move his amendment?

Shri Nambiar: Sir, I beg to move: Page 2, line 8,--

after "person" *insert*--

"above the rank of a Head Constable".

Sir, clause 2(*a*) reads like this:

"'member of a police-force' means any person appointed or enrolled under any enactment specified in the Schedule;". (6)

If my amendment is accepted, it will read:

"'member of a police-force' means any person above the rank of a Head Constable appointed or enrolled under any enactment specified in the Schedule;".

Here the question of trade union as well as association is taken up. I have already made it clear in my speech that I am not worried whether the word is "association" or "union". If the word "union" is to be deleted and the word "association" is to be brought in, I am for it and I have no objection. Secondly, if you do not want to give them the trade union right, the right to strike, then also I agree and the right to strike may be taken away. Their union in Delhi is now known as the Delhi Police Non-gazetted Karmachari Union. If it is to be changed as the Delhi Police Non-gazetted Force Association, there cannot be any difficulty if that can be accepted. In their constitution they have already agreed, as Shri Banerjee pointed out—he has gone through their constitution, I have not—that they are not for strike. I want to know whether the Government can accept an association of this type and that association can represent their reasonable grievances to the Government. That will satisfy us.

But here the provision in the Bill is:

"No member of a police-force shall, without the express sanction of the Central Government or of the prescribed authority,—

(a) be a member of, or be associated in any way with, any other society, institution, association . . ."

Again, in the penalty clause it says:

"Any person who contravenes the provisions of section 3 shall, without prejudice to any other action that may be taken against him, be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both."

Here, "any other action" means, dismissal etc.

Now, the trade union is barred. Suddenly an association cannot come

[Shri Nambiar].

from the sky. An association of police force must be organised from below. Any police constable or member of the force who becomes a member of an association which is not sanctioned will have to undergo an imprisonment of two years. Which police force will come to form an association? How can they form an association? Before forming an association, if I am a police Head Constable, I must write a petition through my department to the Inspector-General of Police to the Government of Delhi or Madras and ask for permission. That is what is provided for under this law.

Mr. Chairman: Is he speaking on his amendment?

Shri Nambiar: Yes.

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): He is not.

Mr. Chairman: Let us see how he ends.

Shri Nambiar: I am speaking on my amendment. Sir, the Deputy Minister is a little mischievous.

Shri P. S. Naskar: I cannot beat you.

Shri Nambiar: Supposing I am a Head Constable and I want to form an association—the hon. Minister says that associations are allowed—I must write through the Inspector-General of Police to the Madras State Government.

Mr. Chairman: The questions is, you have to make it clear what difference it will bring in favour of the association if it is put in "above the rank of a Head Constable".

Shri Nambiar: I am doing that. I was saying, if I as a Head Constable wants to form an association I must get the sanction of the Inspector-General of Police. He will not sanction unless the Government sanctions. So the Government must say that Shri Nambiar, once a Member of Parliament and now a Head Constable—if I become a Head Constable at all—is hereby authorised to organise an association". Only on receipt of that letter I can form an association. Suppose I give any other name as Ramaswamy or Kandaswamy, they might say that I have got my agents in the police force and that is why I am putting it on my own shoulders. Then I must call my colleagues in the police force, tell them that I have got permission from the Inspector-General and the Chief Minister of Madras, Shri Bhaktavalsalam, to form an association and they can all become members. Only then I can form an association.

That means somebody must bell the cat. Who is that somebody? There will be nobody. That means the Chief Minister or the Home Minister or the Inspector-General of Police will call X, Y or Z, their own henchmen and ask them to form an association. That will block any genuine association that may spring up on behalf of the police force. What all they say that there is no objection to forming an association etc., is all on paper. It can never materialise and no police force can do it. I am glad that Shri Chatterjee and others have pressed this point. My humble submission to Shri Chatterjee and my other colleagues here is that we have dealt with this Government for the last several years and we know how they behave. Do not believe in what they say, that they will allow free association in the police force and all that, because that will not come about. That is why I have brought this compromise formula. Leave alone the sub-inspectors and inspectors; my submission is that "member of a police force" must at least mean any person above the rank of a Head Constable for the purpose of this legislation. That means a Head Constable may be permitted to form an association and when that association is formed the Government can call that association and discuss their problems. If they can have an association of this type, they will agree.

Therefore, the right of forming an association must be without any precondition, otherwise no real association will ever come up. That is exactly the reason why I say that this amendment should be accepted.

Further, the hon. Minister and I agree on one point. We have hundred and one disagreements, but one agreement. He is for a genuine association for the police force—that is what he stated—and I am also for that. Let us find out a compromise formula, by his accepting my amendment. Anyhow, you are not for banning it completely and make it a completely closed affair. When you are for granting it, at least give it a proper formation, a proper method to form an association. Let that right be vested in them so that it can be used when necessary.

Shri D. C. Sharma: My hon. friend is confusing between "association" and "union". When I was at Lahore, I wanted to form an organisation of teachers and we went on quarrelling over the two words "association" and "union". An association is a kind of voluntary organisation which has no political repercussions, which has no aim of collective bargaining, embarking on a strike, etc. It is only a welfare agency, a kind of get-together. A union is a body which aims at collective bargaining, which has as its objective the right to go on strike and all the rest of trade union activities. My hon. friend says that there is no difference between an association and a union. So, I think what he means to say is that the hon. Minister should accept his suggestion to form an association; then, he will go there and ask them to change the word "association" to "union". That will be the thin end of the wedge. I will say that the right to form an association will be given, but it will be only a social, recreational and educational or cultural kind of association; it will have no political or trade union objectives. I think that has been made clear in the clauses. So, I do not know why Shri Nambiar, during the course of his speech, referred to Shri Bhaktavatsalam and other Ministers.

Shri Nambiar: A professor can teach me. How can I teach a professor?

Shri Y. B. Chavan: The hon. Member has his own logic; but it is wrong logic. His whole concept of the Bill is that it does not permit the formation of an association. That is his basic reading of the Bill; that is his promise, and it is exactly that I am disputing. It is not so. And it is on that presumption that he is trying to exclude head constables and constables from the operation of this Act, so that they may be free to form an association. What I am trying to tell him is—I am sorry, I did not meet with success earlier; I do not know whether I will succeed even now—this Bill does not come in the way of the police forces as such having their own association. He was rather intrigued by the possibility of how the whole thing starts. That is the trouble. If necessary, instead of the IGP, I can have a model constitution made for the association and circulate it to the police forces. So, you can certainly have an organisation on that basis; they can begin with that as a sort of nucleus. That is why I say that he is unnecessarily confused about the possibility of the formation of the association. If his amendment is accepted, it completely takes away the whole basis of the Bill. So, I cannot accept it.

Mr. Chairman: I will now put amendment No. 6, moved by Shri Nambiar, to the vote of the House.

Amendment No. 6 was put and negatived.

Mr. Chairman: The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3.—(*Restrictions respecting right to form association, freedom of speech, etc.*)

Shri Nambiar: I beg to move:

(i) Page 2, line 18,—

after "associations" *insert*—

"except an association of their own to improve their own lot" (7)

(ii) Page 2, line 20,—

After "organisation" *insert*—

"which is not their own association" (8)

(iii) Page 2, lines 35 and 36,—

omit "or for such other purposes as may be prescribed" (9)

Coming to my amendment No. 7 I want to say that it has nothing to do with politics. If my amendment is accepted, the clause will read as under:

"No member of a police-force shall, without the express sanction of the Central Government or of the prescribed authority,—

(b) be a member of, or be associated in any way with, any other society, institution, association or organisation, except an association of their own to improve their own lot, that is not recognised as part of the force of which he is a member or is not of a purely social, recreational or religious nature".

If my amendment is not accepted, then the sub-clause will look ridiculous. Let us see how it reads without the amendment.

"No member of a police-force shall, without the express sanction of the Central Government or of the prescribed authority,—

(b) be a member of, or be associated in any way with, any other society, institution, association or organisation that is not recognised as part of the force of which he is a member or is not of a purely social, recreational or religious nature;"

What does it mean? You are bringing in jungle law. A member of the police force, constable, head constable or sub-inspector cannot associate himself with an institution, association or organisation that is not recognised. There may be a reading room, a football club or sports asociation of which he wants to become a member. That is banned. This is a very harsh and all-powerful provision. Even if you want to restrict their rights, do it in a mild and normal way, but not by adopting such sweeping provisions. Now, if an association is formed and that association is recognised, if a member of that association comes into contact with the member of another association, of the police force or some other forces, that will be punishable.

If the hon. Minister has got any difficulty in accepting my amendment for the reason that it comes from me, I have no objection to his accepting some other amendment and changing the provision. Now, as it is, the clause is ridiculous and very sweeping in its powers, to be kept in the statute book. I hope he will not be so obstinate as to disregard this amendment, because it comes from me. If it is a reasonable amendment, he shou'd accept it. Sometimes, even when I say very good things, he disregards them because I say them. Please do not do that.

My amendment No. 8 seeks to insert the words "which is not their own association" in line 20 after the word "organisation". Alternatively, you can say: you can associate with an association which is your own, or, you cannot associate with an association which is not your own. There should be a positive approach to the problem. Do not be blind to realities.

Then I come to my amendment No. 9. Now sub-clause (2) of clause 3 reads:

"No member of a police-force shal participate in, or address, any meeting or take part in any demonstration organised by any body of persons for any political purposes or for such other purposes as may be prescribed."

My amendment seeks to delete the words "or for such other purposes as may be prescribed". The purpose of this legislation is to see that they do not indulge in political activities, they do not get influenced by political speeches and politicians. If that is so, the words which I seek to delete are not necessary. The c'ause, even without those words, will serve the purpose, because it will read:

"No member of a police-force shall participate in, or address, any meeting or take part in any demonstration organised by any body of persons for any political purposes".

16 hrs.

Put a full stop there. That will make your position c'ear, namely, that they should not be allowed to take part in political activities. Why do you again put such a vague and all-comprehensive additional qualification as "for such other purposes as may be prescribed"? Prescribed by whom? By the rules. What the rules will be are yet to be seen. And we want to legislate on that. What I submit is that the purpose, as the hon. Minister explained in his speech, can be served by this much and my amendment can be accepted.

The hon. Minister, while he spoke on the association affair, told us that I am unable to understand how the association could be formed. He was also good enought to say that a model constitution can be given by the Ministry. I am thankful to him for that. But I want to be somewhat more clear about it. After this enactment will his Ministry or department issue a cirular explaining how an association can be formed? A model of it can be circulated to the police forces. Once that circular goes out, the police force must be allowed to sit together, discuss and debate it among themselves, whether they can take advantage of this circular and form an assiciation. That must be permitted and that should not be taken as an act of indisciplin or that should not be curtailed. The police officials high above, the IG and others, should rea'ly allow these people to decide upon this association. Once that association is formed by them and its constitution is accepted and is forwarded to the Ministry, the Ministry must accord recognition. Then I am satisfied. It is not a question of my being confused. I want to know whether the hon. Minister is clear in his mind and whether he can assure the House that such a procedure will be followed. What happens is that he will agree here but when he goes out the Inspector General of Police or the Secretary of his Ministry will come to him and say, "If you a'low this, it is the same thing that they wanted; do not do that". I know of cases how these things are done.

This House must be assured that we are not passing a Jungle law—a lawless law is different, but a jungle law—because we have got our responsibility to the citizens and our electorate the voters. Policemen are also our voters. We are answerable to them a'so. You may not agree with me here, but when I go home I meet policemen in mufti. They come and meet me. At least they must be allowed to do that because they have voted for me and I must be allowed to talk with the policemen in mufti, not with their hats on and shoes down but at least in mufti. In that way I must be answerable to them. So, I must go and convey to them that they can form an association and Government will not stand in the way; that they will not be penalised and will not go to prison for two years for being a member of such an association.

Shri S. M. Banerjee: Sir, I rise to support amendments Nos. 7, 8 and

[Shri Nambiar].

9 moved by my hon. friend, Shri Anandan Nambiar. While replying to the debate on the general discussion, the hon. Minister said that perhaps we did not understand the legality of such legislation where, according to him, some associations were permitted. May I, for his information, read clause 3, sub-clause (1) (b) which says:—

> "be a member of, or be associated in any way with, any other society, institution, association or organisation that is not recognised as part of the force of which he is a member or is not of a purely social, recreational or religious nature;".

Mr. Chairman: Amendments Nos. 7, 8 and 9 moved by Shri Anandan Nambiar are before this House and he should speak on these three amendments.

Shri S. M. Banerjee: I am speaking only on these

Now, suppose, the RSS is regarded as, a religious organisation or the Sadhu Samaj is regarded as a religious organisation, He can become a member of that. He can go to the *mandir, musjid, gurudwara and girjaghar.* That is allowed and we are very happy about it; but it has to be recreational or purely social—social also is unadulterated social; it should be purely social.

What is missing from this Bill is the right to form an assoicaction. Yesterday, when this Bill was introduced, I rose on a point of order saying that the police force, which may be 14,000, 15,000 or 20,000 in Delhi and lakhs throughout our country, are the sons of our soil; they have worked for the interests of the country; they have defended our motherland; we have appreciation for them—sometimes we condemn them for their goondaism which they do—and to form an association is a fundamental right. On that the Speaker, in his wisdom, could not give his ruling. He said that this was a constitutional matter and it should be decided in a court of law. So, I requested yesterday that the Attorney General may address this House on this issue.

Where can that association be formed? It says:—

> "No member of a police-force shall participate in, or address, any meeting or take part in any demonstration organised by any body of persons for any political purposes".

Yes, he should not; he should not indulge in politics. But then it says:—

> "or for such other purposes as may be prescribed.".

We do not know what is prescribed. We do not even know what would be the rules after this.

When we say that they should be allowed to form an association, I know the difference between 'union' and 'association'. May I explain to my very respected friend, Professor Diwan Chand Sharma, whom we generally call our professor, that we know the difference. A union is registered under the Indian Trade Union Act of 1926. Even the Central Government employees—there are many types of employees in the Central Secretariat, Survey of India, Directorate of Publications and others—cannot form a union under the Trade Union Act of 1926 but their association has been formed and that has been recognised.

The hon. Minister while replying just now said that he would ask somebody to draft a model constitution. what is the nature of this union formed by the policemen? It is a union formed by the policemen, of the policemen, for the policemen. There is no outsider in it. I would have actually liked to lay a copy of their constitution on the Table of the House with your permission, but since that may create some misunderstanding, I

would like to hand over one copy for the hon. Minister's perusal for whom I have great regard.

When they met Shri Hathi and Shri Hathi in his wisdom advised them that they could not have the same right as the other trade unions in the larger interests of the country, in the interest of the security of the country, to fight internal disturbances and external aggression, they readily agreed and said, "We shall forego the right to strike voluntarily". It was not banned as such. They were assured—I could have produced a photostat copy issued by the IG Police's office which clearly said—that their association or union would be recognised. I never wanted to create any disruption or seduction among the policemen and that is why I did not do it. So, they got an impression that their union would be recognised.

So, let the hon. Minister agree to this amendment. If he cannot possibly agree to it because it comes from Shri Nambiar, then let him move one himself.

He said, "Except an association of their own to improve their own lot". What is "own association"? "Own association" means where only policemen can become members and office-bearers, where they can take decisions and the aims and objects of that association or union are only to create better relations among policemen, to discuss their problems, have a negotiated settlement with the IG Police or the DIG Police and so on, to create a better understanding between the people and the police. Today, after the formation of this union, I can tell you with all honesty, there is a better understanding between the people and the police. The police may think that the people are against them, but not always. They are our servants. Our members can become policemen tomorrow. After all, Shri Mahavir Tyagi was a head constable and he is a Member of Parliament today.

Shri K. C. Sharma: He was not a Head Constable.

Shri S. M. Banerjee: He posed to be a Head Constable. That may be impersonation. That is worse. Shri Ramanand Tiwari is today one of the most respected persons in Bihar. Was he not a policeman? In this country, when Balmiki dacoit can become a saint, a policeman also who has been brought up in this atmosphere of brutality to sheet people can become a saint.

Mr. Chairman: The hon. Member should confine himself to the amendments that are before the House.

Shri S. M. Banerjee: I only say this that when, after 1960 strike was banned, an ordinance was issued, I know my hon. friend Shri Nath Pai spoke on their behalf and made a wonderful case and he said that in Great Britain, in 1962, when there was a general strike and the entire country was paralysed, even then such an ordinance was not issued.

I say that they are also Government employees. If you see their conditions, they excite horror than pity. You want policeman not to become corrupt. Unless he takes money, he cannot possibly wash his uniform daily, iron it and so on. They should be allowed to form an association. If the hon. Minister or his deputy is allergic to the word 'union'—I know the hon. Minister is not; his deputies are—I think, he should accept the word 'association'. They should be given a right to form an association. If this right is not given, there will naturally be serious repercussions in the country which will be neither in the interest of the country, in the interest of the ruling Party, nor in our interest.

Shri K. K. Verma (Sultanpur): Mr. Chairman, Sir, I have heard the arguments that have been advanced with regard to two amendments before the House.

[Shri K. K. Verma]

The first amendment says that after "associations" insert "except an association of their own to improve their own lot". Clause 3 says:

> "No member of a police-force shall, without the express sanction of the Central Government or of the prescribed authority,—
>
> (a) be a member of, or be associated in any way with, any trade union, labour union, political association or with any class of trade unions, labour unions or political associations;"

Now, if we add after this "except an association of their own to improve their own lot", I think, my hon. friend is going to limit the wide scope that already exists in this clause. This clause only bans certain associations and trade unions and there is also a provision that there should be the express sanction of the Central Government.

My submission is that this amendment is quite redundant and that we should not limit the scope of the provision that is already here in this clause. There may be other associations which may be permitted by the Central Government.

The second amendment is that the words "or for such other purposes as may be prescribed" may be deleted. Sub-clause (2) says:

> "No member of a police-force shall participate in, or address, any meeting or take part in any demonstration organised by any body of persons for any political purposes or for such other purposes as may be prescribed."

My hon. friend has ignored the word 'demonstration' in this sub-clause (2). It says:

> "No member of a police force shall participate in, or address, any meeting or take part in any demonstration...."

There are many demonstrations which create disturbance and which create disorder. Does my friend want that they should be allowed to participate in such demonstrations also?

Shri Nambiar: No, no. We agree upto the words ".....for any political purposes" and then put a full stop. That is all. The hon. Member has not followed my amendment.

Shri K. K. Verma: This phrase "for such other purposes as may be prescribed" has very wisely been put here on administrative grounds and on the ground that the administration may not be jeopardised. Our democracy and the whole administration may fall down if we allow the police force to participate in demonstrations which may create disorder and disturbance.

Shri D. C. Sharma: I want to say one thing only. I think, the gentleman has objected to the word 'society' or 'institution' or 'association' or 'organisation'. Now, Sir, you know that sometimes these words are used as a camouflage for certain things. For instance, I may have a study circle and you say, why prevent these men from joining the study circle. But that study circle may have something which is not the legal purpose for it. In the same way, take, for instance, a demonstration. There is a political demonstration and there are other kinds of demonstrations also. For example, I know, there was a demonstration against a Vice-Chancellor. He did not agree to some demands of the people and what happened was that they had a demonstration against him saying, "Vice-Chancellor *hai hai*." I, therefore, say, it is good for the mental health, for the physical health, of the police force that they should be debarred from having these things and that they should not take part in any demonstration, either of political nature or of any kind, and they should also not be allowed to join those societies which work for some end but which have names which are very innocent looking and harmless.

With these words, I say that this clause should stand as it is.

Shri Y. B. Chavan: Sir, I have nothing to add to what my two colleagues have explained. I am afraid, I might again repeat what I have said before. Either the hon. Members have not understood the purpose for which this Bill is meant or they want to defeat the purpose of the Bill. The latter seems to be the case.

Shri S. M. Banerjee: If we have not understood it, the policemen will never understand it.

Shri Y. B. Chavan: The policemen will understand it. Really speaking, they are trying to defeat the purpose of the Bill because what is allowed in this Bill is very clear that if there is an association of the police-force and if it is recognised as such and if it is meant for the purposes of a purely social, recreational or religious nature, certainly, the association will be allowed to function. Shri Banerjee tried to make it look rather absurd, mentioning R.S.S., Sadhu Samaj and other things. There are certain obvious things. If you want to ignore the obvious things, what is the idea of making it look like an absurd thing which is very clear. What we want them to do is very clear and what we do not want they to do is very clear. We do not want them to join any political association or any demonstration or any trade union movement or anything which is not police-force affair.

Shri Nambiar: We all agree.

Shri Y. B. Chavan: If we all agree, then, really speaking, you should withdraw your amendments.

Shri Nambiar: We agree on one point that they should be allowed to have an association. That is why I have moved this amendment.

Shri Y. B. Chavan: The whole thing is very clear. Certainly, this Act is supposed to regulate their rights. What is allowed has been made very clear. They can certainly have associations—it has been made clear in the Explanation—if they are purely of a social, recreational or religious nature. The word 'cultural' is not used; it is the word 'recreational'.

Shri Hari Vishnu Kamath: Could it not be done on the lines of Whitley Councils?

Shri Y. B. Chavan: The hon. Member has certainly made the suggestion. I cannot give my reaction straightaway. Naturally when it has come from an eminent member like Mr. Kamath, it will have to be examined. I cannot, without any examination, give my reaction one way or the other.

Shri S. M. Banerjee: The father of Whitleism is there.

Shri Y. B. Chavan: That is all. I think I have explained my reasons.

Mr. Chairman: He does not accept any of the amendments?

Shri Y. B. Chavan: No, I am not accepting.

Mr. Chairman: I now put Mr. Nambiars' amendments, Nos. 7, 8 and 9 to the vote of the House.

Amendments Nos. 7, 8 and 9 were put and negatived.

Mr. Chairman: The question is:

"That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4— (Penalty)

Shri Nambiar: I am opposing it. I will read out that Clause. That will make it very clear.

[Shri Nambiar]

Mr. Chairman: Has he moved any amendment?

Shri Nambiar: No, Sir. I am opposing the whole Clause. I want that the whole Clause should be deleted. I have not moved any amendment. I want that the whole Clause should be scrapped. Clause 4 reads as follows:

> "any person who contravens the provisions of section 3 shall, without prejudice to any other action that may be taken against him, be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both."

This is the penal clause. It is a simple thing and anybody can understand this. I think Mr. Shinkre, who supported the Bill as a whole, will at least oppose this clause and agree with me. Here the position is this. Any person belonging to the Police Force who becomes a member of an association which is not recognised by the Government will have to undergo imprisonment which may go upto two years or a fine to the extent of Rs. 2000 or both. All that bureaucratic thing is there—'or both' and all that; and they only fill in the figure, whether it is two or five or whatever it is. What I submit is this. This is, as Mr. Shinkre has pointed out, *ultra vires* outright to the Constitution. How can a citizen of India be penalised for becoming a member of an association which is not approved by the Government or recognised by the Government to the extent of giving an imprisonment upto two years? What offence has he committed? He is a member of the Police Force and he is not allowed to become a member of an association which is not recognised by the Government and the penalty for this is imprisonment upto two years. This is something very strange, something outrageous. The House cannot, with any sense of responsibility or any sense of propriety, pass such a law. What I suggest is that even granting that they want completely to terrorise the Police Force by saying that if they join an association which is not recognised by the Government, they would be finished and all that, they could say like this: if any person contravenes the provisions of section 3, disciplinary action shall be taken against him. You can remove him from service. That is the maximum punishment that you can give. You can dismiss him, you can fine him, but you should not give the punishment of imprisonment for two years. After all, this is not a secret police code that you are drafting. It is not an Army which has to defend the country. It is after all Police Force and the Police Force cannot be penalised to the extent of imprisonment for two years for becoming a member of an assication which is not recognised by the Government. Therefore, this looks rediculous and if it goes before the Supreme Court, I think the Supreme Court will only laugh at this provision....

Shri Alvares (Panjim): Only laugh at it?

Shri Nambiar: That means, it will be thrown out in the ditch and it will also cast asperation on me and the other members who are present today by saying, "you passed this law".

Shri Alvares: The Supreme Court cannot do it.

Shri Nambiar: They can indirectly make an observation that there were hon. members who were present there. Therefore, Sir, please remove this two year-imprisonment business.

The Minister of State in the Ministry of Defence (Shri Hathi): And put what?

Shri Nambiar: You dismiss him from service, you forefeit his provident fund or gratuity. But do not bring in this 2 year-imprisonment. It is a very bad law. This will provoke anger and opposition in the entire Police Force of this country—this clause alone. This is not fair. Do not

provoke them to that position, do not make all the Police Force inimical to the Government. They are not so. All right, you have adopted the first three clauses, but kindly remove Clause 4; withdraw Clause 4; delete it and nothing will happen, heavens will not fall down. Do not make it a rediculous legislation.

Shri S. M. Banerjee: I rise to oppose this Clause and I fully support Mr. Nambiar. We thought that there would be some difference between Gen. Ayub and Shrimati Indira Gandhi. Now we know what this country has been reduced to. It has been reduced from Subhas Chandra Bose to Atulya Ghosh, and from Mahatma Gandhi to Indira Gandhi. Our country has been reduced to this leadership. I am sorry to use this expression. I feel that even this....

Shri Raghunath Singh (Varanasi): Also from Surendranath Banerjee to S. M. Banerjee.

Shri S. M. Banerjee: Yes; that is correct. Does he agree that it has been reduced from Mahatma Gandhi to Indira Gandhi and from Subhas Chandra Bose to Atulya Ghosh?

May I remind the hon. Minister of this. He was the Defence Minister at that time and Mr. Nanda, who was the victim of Sadhu Samaj was the Home Minister at that time. Certain members were debarred from joining a particular association or a particular union under 4B of the Government Servant's Conduct Rules. 4A and 4B were known to be some of the most pernicious clauses in the Government Servants' Conduct Rules. What was the provision in that particular clause? Under 4B, if Government declined or refused to grant recognition to a particular union or association, then no employee should become a member of that particular association. All the employees of the office of the Comptroller and Auditor General became members of a particular association, recognition for which was withdrawn by the C.A.G. Naturally some people were served with notices of compulsory retirement and ultimately this was challenged in the Supreme Court; 4B was challenged in the Supreme Court. I am glad to tell through you, the hon. Minister that the Supreme Court held that Government had no business to debar a particular employee of any organisation of Government from becoming a member of a union of his own choice. Even today recognition rules have not been framed only because of the judgment of the Supreme Court.

So, I do not know how this kind of thing could happen today when we are passing this legislation. After all we are supposed to be the makers of law and the custodians of the rights of the people. We do not want that the policemen, of all persons in the country, should become law-breakers. But they are bound to break the law if this clause remains on the statute-book after this Bill becomes an Act, under which any policeman who wants to form an association could be sentenced to two years' imprisonment or a fine of Rs. 2000 or both.

May I request the hon. Minister to kindly realise the legal aspect of it also? I know that the Law Ministry might have given him the green signal. But we have a very bad tradition of the Law Minister in this country. Shri A. K. Sen, when he was the Law Minister, gave advice on the Berubari issue which was proved to be wrong; then, he gave advice on the Nanavati case which was also proved to be wrong; then, he advised on the compulsory deposit scheme which was also ultimately proved to be wrong. I am sure that Shri G. S. Pathak also will advise him wrongly, because according to our convention the Law Minister is not supposed to know law.

Therefore, I feel that this clause should be withdrawn and some other clause should be brought forward in its place. This clause can wait till tomorrow or the day after and mean-

[Shri S. M. Banerjee]

while this clause can be reconsidered. But under no circumstances should this clause be allowed to remain on the statute-book of this country.

Shri Shinkre: While replying to me, the hon. Home Minister had said that clause 4 of this Bill was a copy of a similar provision from the Navy Act. But I would like to submit that the naval forces are part of the Armed Forces of the country. But a police force is not part of the Armed Forces. The police force is a civilian corps and as a civilian corps it is subject to civil jurisdiction only. It is a well known principle that military offences of a disciplinary nature may be punished with imprisonment. For instance, one knows that desertion during the war-time is punishable even with capital punishment. But that is no argument for imposing this kind of punishment on the police force. Therefore, I still continue to insist on my original argument that this punishment with imprisonment should be completely removed from this clause. For, if the men were not belonging to the police force, they could enter into and form any trade union, and they would not have committed any breach of the law of the country. It is only for the common law crimes or criminal offences that imprisonment has been stipulated as punishment under our penal laws. That is the original structure of our entire penal laws.

I would, therefore, plead once again with the Home Minister to examine the question. He can himself bring forward an amendment to this Bill by deleting the imprisonment part of the clause and maintaining only the fine part of the punishment.

Shri D. C. Sharma: I think there is some confusion in the minds of the hon. Members who have spoken on this clause. The confusion is between the maximum and the minimum. It is the maximum punishment which has been laid down here.

Shri Shinkre: There is no question of maximum or minimum. But it is a question of principle.

Shri D. C. Sharma: The maximum punishment that a person would get is for two years. It is not incumbent on the court to award him a sentence of two years' imprisonment or a fine of Rs. 2000. It is not there that he would get both the punishments. It has not been made obligatory in this clause that the person should get both these punishments together or only one punishment and not the other. It is not made obligatory at all, but it has been left entirely to the discretion of the court.

My hon. friends have been speaking in terms of law. But I would submit that I do not think that we administer law. I do not think that Shri S. M. Banerjee administers law; I do not think that Shri Nambiar administers law, nor do I administer law. Law is to be administered by the court. We have faith in our courts, and we know that our courts do not look at these things only from the disciplinary point of view but they look at it from the human point of view also.

Therefore, I believe that my hon. friends who have preceded me have tried to make a mountain of a molehill. What is prescribed here is the ceiling. The floor may be anything. My hon. friends have mistaken the ceiling for the floor and the floor for the ceiling and they have thought that the ceiling will always prevail and that the floor will have no value. If we have faith in the courts, we should leave it to the discretion of the courts and they will see how to temper justice with mercy and how to administer justice in a human manner and how to give punishments which are appropriate to the person in terms of his social conditions, in terms of the number of years that he has lived for, and in terms of his family conditions and so on.

I think our courts are wonderful from that point of view and I do not think we should cast any doubt on the integrity and efficiency of the courts which are going to administer this clause.

Shri Hari Vishnu Kamath: Mr. Chairman, while on the face of it, cl. 4 may appear innocuous, certain misgivings arise in my mind when I read it with cl. 3 and I would request the Minister to clear them in the course of his reply to the discussion.

If I may, I would like to draw your attention to the *Explanation* to clause 3. It invests the Central Government with the authority to decide as to whether an association which a policeman joins is or is not according to law, according to the rules and all that kind of thing. In view of this what I said earlier when I spoke during the general consideration stage acquires more significance. I would like to remind the Minister again of the position in the UK, which has got perhaps the finest police force today in the world. There, the latest position is this; in September 1953, the Police Federation was replaced by a new Police Council for Great Britain, a negotiating body on Whitely Council lines. It consists of an official on the staff side and an independent Chairman with the right to negotiate agreements on wages and conditions, and when necessary, to go to arbitration, though the Home Secretary and the Secretary of State for Scotland have the power to reject or refer back such agreements.

Here it is said in the *Explanation*:

> "If any question arises as to whether any society, institution, association or organisation is of a purely social, recreational or religious nature under clause (b) of this sub-section, the decision of the Central Government thereon shall be final".

Now the Judge, Jury, and the accuser will be the same in this case, because they will take departmental action also followed by the action under the law for infringement of this particular statute.

Now, is it too much to ask the Government to ensure that in such cases where there is a doubt as to whether the particular organisation is or is not according to the law, to leave it to an independent authority?

They may give thought to it, as to whether an independent authority must be constituted. I personally think it should be constituted as in England . . .

An hon. Member: Administrative Reforms Commission.

Shri Hari Vishnu Kamath: It is not a permanent Commission; otherwise, it would have served the purpose. It will conclude its work next year by the latest.

Unless it is cleared as to whether the Central Government are the final arbiter on this question or whether an independent authority will be constituted to go into this matter as to whether a policeman has in joining a particular organisation infringed the law or not, unless this question is cleared, it will be difficult to support this clause 4 as it stands.

I would request the hon. Minister that he do give earnest thought to the position as it obtains in Great Britain, to which I referred. As he has assured the House earlier, I do hope that some such Council on Whitely Council lines will be set up in our country at a very early date, sooner rather than later.

Shri N. Dandeker (Gonda): I am troubled by this clause partly for the reasons which Mr. Kamath gave, but partly for a more fundamental reason.

I can understand the necessity for abridging some of the fundamental rights of citizens enrolled in the police force for obvious public reasons, reasons of public necessity and so on, and, in fact, as the Statement of Objects and Reasons says, article 33 of the Constitution permits this.

[Shri N. Dandeker]

I will take a little time to develop my argument, first by reading article 33:

> "Parliament may by law determine to what extent any of the rights conferred by this Part shall, in their application to the members of the Armed Forces or the Forces charged with the maintenance of public order, be restricted or abrogated so as to ensure the proper discharge of their duties and the maintenance of discipline among them."

What this article permits is the restriction or abrogation of a part of the fundamental rights in relation to the police forces. So far so good. The problem I find a little more difficult is whether abridgement or curtailment of fundamental rights extends to making their contravention an offence.

If, for instance, my fundamental right is abridged to extent "X", then, can it become an offence if I try to exercise my fundamental right to the extent of "X" which is abridged or annulled by legislation of this kind? I frankly wonder whether the power to abridge or abrogate fundamental rights confers the power to equate the abridgment to an offence, or rather, whether the infringement of the abridgement, if I may say so, can be converted into a criminal offence punishable with imprisonment or fine or both.

At this point I would like to link up with Mr. Kamath's argument, because there is here no offence defined. What is defined is what a member of the police force shall not do without the express sanction of the Central Government.

Mr. Chairman: Cannot the rules cover that later?

Shri N. Dandeker: No, Sir. Rules cannot define an offence, rules are for procedural and other things of that kind.

It says that no member of a police-force shall, without the express sanction of the Central Government or of the prescribed authority be a member of certain organisations. To that extent abridgement of rights is all right, I accept that as a necessity. But then whether that abridgement when contravened by a member of the police force amounts to an offence will be for the Central Government to decide. The *Explanation* says:

> "If any question arises as to whether any society, institution, association, organisation is of a purely social, recreational or religious nature under clause (b) of this sub-section, the decision of the Central Government shall be final."

I find that very difficult. There is an abridgement, in exercise of the power to abridge fundamental rights. Certainly the infringement of the abridgement, I agree, should be dealt with somehow. I would think it should be defined as amounting to "gross indiscipline" for purposes of the disciplinary control etc., making the person liable to dismissal from service. But then it goes on to make it a criminal offence, to say that the Central Government shall decide whether an offence has been committed or not, and when the Central Government has decided that an offence has been committed, then a court of law, a poor, wretched magistrate has got to sit down and go into the circumstances and award him some fine or some imprisonment or both.

I am gravely troubled about this. I do not think that the power for abridgement of a right can be converted into a power to deliver an offence for the infringement of that abridgement. That is all I have to say.

श्री बड़े (खारगोन) : सभापति महोदय, यद्यपि हमारी पार्टी की तरफ से माननीय सदस्य, श्री कछवाय, ने कहा है कि पुलिस में

कोई ट्रेड यूनियन नहीं होनी चाहिए, लेकिन इस का अर्थ यह नहीं है कि उन लोगों को कोई एसोसियेशन बनाने का अधिकार भी नहीं होना चाहिए। क्लाज 3 और 4 में जो व्यवस्था की गई है, उस के अनुसार जो व्यक्ति इस कानून का उल्लंघन करेगा, उस को डबल पनिश्मेंट मिलेगा--उस की नौकरी भी जायेगी और उसको कैद या जुर्माने की सजा भी होगी। यह डल पनिश्मेंट नहीं होना चाहिए। क्षयरोग—टी० बी०—के बारे में कहा जाता है कि "क्षयरोग प्राणान च हरति वित्तं च हरति", अर्थात क्षय रोग से प्राण भी जाते हैं और धन की भी हानि होती है। इसी प्रकार इस कानून का उल्लंघन करने पर किसी व्यक्ति की सर्विस भी जायेगी और उस को सजा भी मिलेगी।

क्लाज 4 में कहा गया है कि जो व्यक्ति सैक्शन 3 की प्राविजन्ज का उल्लंघन करेगा, उस के खिलाफ़ और जो कोई भी एक्शन लिया जायेगा उस, के अतिरिक्त उस को दो वर्ष तक की कैद और दो हजार रुपये तक जुर्माना हो सकता है। इस के साथ ही क्लाज 3 के एक्स्प्लेनेशन में कहा गया है कि यदि यह प्रश्न उठता है कि क्या कोई सोसायटी, इंस्टीट्यूशन, एसोसियेशन या आर्गनाइजेशन प्यूरली सोशल, रीक्रीएशनल या रिलिजस नेचर की है या नहीं, तो उस बारे में सेंट्रल गवर्नमेंट का डिसिजन फाइनल होगा। मैं यह जानना चाहता हूं कि किसी संस्था की नेचर के बारे में फैसला करने का अधिकार गवर्नमेंट के बजाये कोर्ट को क्यों नहीं दिया जाता है।

क्या होम मिनिस्टर साहब को यह मालूम नहीं पड़ता है कि अगर यह अधिकार गवर्नमेंट के पास रहता है, तो गवर्नमेंट की पावर्ज डेलीगेट हो कर आई० जी० पुलिस, के पास जायेंगी; आई० जी० पुलिस, अगर यह फैसला करता है कि कोई संस्था प्यूरली सोशल, रीक्रीएशनल या रिलीजस नहीं है, तो वह फैसला फ़ाइनल होगा। इस प्राविजन के होते हुए कोर्ट के हाथ बंधे हुए हैं। कोर्ट के दरवाजे खुले हुए होने चाहिए। क्लाज 3 के इन्टरप्रेटेशन का अधिकार कोर्ट को होना चाहिए। किसी डैमोक्रेटिक, प्रजातंत्रीय, राज्य में कोर्ट के दरवाजे किसी के लिए बन्द रखना ठीक नहीं है।

होम मिनिस्टर साहब ने अभी बहुत ही सहानुभूतिपूर्ण भाषण में कहा है कि पुलिस के विषय में उनका रवैया ह्यूमैन काइंडनैस का है और कम्युनिस्ट आदि कुछ तत्वों से पुलिस के डिसिप्लिन के भंग होने का खतरा है। मैं उन से अपील करना चाहता हूं कि क्या उन का मारल और लीगल सैंस यह एलाऊ करता है कि इस कानून का उल्लंघन करने पर किसी व्यक्ति को डबल पनिशमेंट दी जाये और उल्लंघन के सम्बन्ध में इन्टरप्रेटेशन का अधिकार भी गवर्नमेंट के पास ही रहना चाहिए। इस लिए मैं चाहता हूं कि क्लाज 3 की एक्स्प्लेनेशन को निकाल दिया जाये और इस सम्बन्ध में कोर्टस के दरवाजे खुले रहने चाहिएं।

Shri Y. B. Chavan: I tried to follow the subtle argument raised by both the hon. Members Shri Kamath and Shri Dandeker. Their point is, if I have understood them aright, whether abridgement of rights creates an offence. Abridgement of rights does create certain obligations on the part of the members of the police force. If the failure to observe that obligation is not accompanied by some penalty, we are not doing it for fun.

Shri Shinkre: Let dismissal be there.

Shri Y. B. Chavan: Other departmental or disciplinary action is not ruled out; they are there. Mr. Kamath expressed some doubts about the explanation. I personally feel that this explanation is meant at the time of recognition of an association.

Shri Hari Vishnu Kamath: It is not clear.

Shri Y. B. Chavan: I am trying to explain the intentions because the intentions of the Government are material when the Bill is discussed. The other departmental action is there; it is not ruled out. According to me, there is no room for these doubts.

Hon. Members Shri Nambiar and Shri Banerjee do not want this clause at all; my assessment of their opposition is that they want to defeat this Bill. Once we accept that there should be an obligation on them to observe the things included in clause 3, failure must be accompanied with some punishment. I can understand if they had given certain amendments saying that this should be the punishment.

Shri Namblar: I tried and I applied fifteen minutes of my time to that.

Shri Y. B. Chavan: If they had any other alternative, I could have given thought to it. Personally, I do not think there is another alternative. Naturally as Shri Sharma says we must believe in the wisdom of the judiciary. If it is an individual technical lapse, Government will not go to the court and get a man punished. But suppose there is an organised effort to disobey and there is collective disobedience. Then naturally the seriousness of the breach is increased. Therefore, possibly this will have to be accompanied by a little severe punishment. We have to believe and rely upon the wisdom of the judiciary when they look into this matter. This is my explanation.

Mr. Chairman: The question is:

"That clause 4 stand part of the Bill."

The Lok Sabha divided.

Division No. 21] **AYES** **[16.53 hrs.**

Akkamma Devi, Shrimati
Alva, Shri A. S.
Alva, Shri Jaochim
Barua, Shri R.
Basappa, Shri
Basumatari, Shri
Bhanja Deo, Shri L. N.
Bhattacharyya, Shri C. K.
Brij Raj Singh-Kotah, Shri
Chanda, Shrimati Jyotsna
Chandrabhan Singh, Dr.
Chavan, Shri Y. B.
Chavda, Shrimati Jobraben
Das, Shri B. K.
Dass, Shri C.
Deo Bhanj, Shri P. C.
Deshmukh, Shri Shivaji Rao S.
Dixit, Shri G. N.
Dubey, Shri R. G.
Dwivedi, Shri M. L.
Gandhi, Shri V. B.
Hanumanthaiya, Shri
Harvani, Shri Ansar
Hazarika, Shri J. N.
Heda, Shri
Jadhav, Shri Tulshidas
Jedhe, Shri
Jena, Shri
Jha, Shri Yogendra
Jyotishi, Shri J. P.
Khadilkar, Shri
Kisan Veer, Shri
Kotoki, Shri Liladhar
Koujalgi, Shri H. V.
Krishna, Shri M. R.
Laskar, Shri N. R.
Mahida, Shri Narendra Singh
Mahishi, Dr. Sarojini
Malaichami, Shri M.
Malaviya, Shri K. D.
Maniyangdan, Shri
Mantri, Shri D. D.
Mathur, Shri Harish Chandra
Mehrotra, Shri Braj Bihari
Minimata, Shrimati
Mishra, Shri Bibhuti
Mohanty, Shri Gokulananda
Morarka, Shri
Mukerjee, Shrimati Sharda
Naskar, Shri P. S.
Niranjan Lal, Shri
Pande, Shri K. N.
Patil, Shri T. A.
Pattabhi Raman, Shri C. R.
Raghunath Singh, Shri
Ram Sewak, Shri
Ram Subhag Singh, Dr.
Ram Swarup, Shri
Rane, Shri
Rao, Shri Jaganatha
Rao, Shri Ramapathi
Ray, Shrimati Renuka
Reddi, Dr. B. Gopala
Reddy, Shri H. C. Linga
Sharma, Shri A. P.
Sharma, Shri D. C.
Shastri, Shri Ramanand
Shinde, Shri
Shree Narayan Das, Shri
Shukla, Shri Vidya Charan
Shyamkumari Devi, Shrimati
Siddananjappa, Shri
Singh, Shri D. N.
Singh, Shri K. K.
Sinnat Prasad, Shri
Tiwary, Shri R. S.
Upadhyaya, Shri Shiva Dutt
Venkatasubbaiah, Shri P.
Verma, Shri K. K.

NOES

Alvares, Shri	Kakkar, Shri Gauri Shankar	Ranga, Shri
Bade, Shri	Kamath, Shri Hari Vishnu	Samanta, Shri S. C.
Banerjee, Shri S. M.	Lahri Singh, Shri	Shinkre, Shri
Chakravartty, Shrimati Renu	Nair, Shri Vasudevan	Singh, Shri Y. D.
Chatterjee, Shri N. C.	Nambiar, Shri	Swamy, Shri Sivamuthi
Dandeker, Shri N.	Nath Pai, Shri	Vishram Prasad, Shri
Kachhavaiya, Shri Hukam Chand	Raghavan, Shri	

Mr. Chairman: The result of the division is:

Ayes 79; Noes 20.

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5 was added to the Bill.

Clause 6—(*Power to make rules.*)

Shri Hari Vishnu Kamath: Sir, I am inclined to think that this clause will merely adorn the pages of this statute without any concrete or tangible fruit so far as this Parliament is concerned. You will be pleased to see and so will the House, that sub-clause (2) reads thus:

> "Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions...." etc.

We are at the fag end of this session and of the Lok Sabha itself. The next session—the lame duck session—may be for 10 days or even less. But the rules have to be laid before the House for a period of 30 days. That means, this Parliament will not deal with these rules at all.

Shri D. C. Sharma: Why not?

Shri Hari Vishnu Kamath: Sir, he has been a prolific parent of private Bills but he has not given much thought to this Bill.

Mr. Chairman: You are making him wiser.

Shri Hari Vishnu Kamath: If there is scope for making him wiser. I do wish he gives some thought to such provisions like this. Unfortunately private Bills do not contain such provisions: they appear only in official Bills. If he can bestow some thought to this for 5 minutes, he will arrive at the happy conclusion that unless he is returned to this Parliament after the next elections, which I hope he will be, he would not be able to deal with the rules framed under this Act. I think during the next four months or even within a fortnight they may promulgate some rules which this Parliament will have no opportunity of scrutinising or modifying or amending or disapproving. Under this clause, Parliament is given the power to amend, modify or disapprove of these rules. Suppose some rules are made which are not to the satisfaction of Parliament, we will not have an opportunity to go into them. I would ask the Home Minister to give us an assurance that any rules made under this Act will not be enforced till the fourth Lok Sabha has had an opportunity of scrutinising them and modifying them in the manner it deems fit and proper.

Shri Y. B. Chavan: I cannot give that assurance. If the hon. Members want to move any amendments to modify the rules, they can do so in the next session.

Shri Hari Vishnu Kamath: Unless 30 days expire, you cannot do it. He has not read his own Bill properly, Sir.

Mr. Chairman: He is not prepared to give any assurance.

The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

17.00 hrs.

Mr. Chairman: The question is:

"That the Schedule stand part of the Bill."

The motion was adopted.

The Schedule was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Y. B. Chavan: Sir, I beg to move:

"That the Bill be passed."

Mr. Chairman: The question:

"That the Bill be passed."

The motion was adopted.

17.01 hrs.

GOA, DAMAN AND DIU (OPINION POLL) BILL

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): Sir, on behalf of Shri Y. B. Chavan, I beg to move*:

"That the Bill to provide for the taking of an opinion poll to ascertain the wishes of the electors of Goa, Daman and Diu with regard to the future status thereof and for matters connected therewith, be taken into consideration."

Shri Hari Vishnu Kamath (Hoshangabad): Sir, I rise on a point of order. I am loath, reluctant, to obstruct or delay the passage of this important Bill because it has sought to meet the wishes and needs of a large body of Indian citizens in one of the Union Territories—Goa—but I am anxious that whatever is transacted in this House must be in accordance with the Constitution and the Rules of Procedure.

Now, Rule 76 of the Rules of Procedure says:

"No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member in charge of the Bill . . ."

Today's List of Business says that it is Shri Y. B. Chavan who is the Minister in charge of the Bill.

Shri Vidya Charan Shukla: It has been decided . . .

Shri Hari Vishnu Kamath: It has not been decided. The rule further says:

" . . . and no motion that a Bill be referred to a Select Committee of the House, or a Joint Committee of the Houses or be circulated for the purpose of eliciting opinion thereon shall be made by any member other than the member in charge except by way of an amendment to a motion made by the member in charge:

The proviso says:

"Provided that if the member in charge of a Bill is unable, for reasons which the Speaker considers adequate, to move the next motion in regard to his Bill at any subsequent stage after introduction, he may authorise another member to move that particular motion with the approval of the Speaker."

Then the Explanation is:

"Notwithstanding the provisions contained in the proviso the member who introduced the Bill shall continue to be the member in charge."

Now, under "Definitions", "Minister" is defined. (*Interruptions*).

17.05 hrs.

[MR. SPEAKER *in the Chair*]

So, under rule 76 the Minister has to give adequate reasons if he does

*Moved with the recommendation of the President.

not move the motion for the consideration of the Bill. I well understand that when Shri Chavan was appointed Home Minister the papers carried a report that Goa affairs and boundary affairs will be handled by the Prime Minister. Also, I do not dispute the competence of Shri Shukla to pilot this Bill. I know him for years now and that is sufficient. But I would plead that a Bill of this kind should be piloted by a Cabinet Minister, a Minister of the Cabinet rank, Cabinet status.

Shri C. K. Bhattacharyya (Raiganj): Is it also provided for in the Rules?

Shri Hari Vishnu Kamath: Notwithstanding the fact that Shri Shukla is able in his own way—I do not question his capability—even though Shri S. K. Patil is not present here now, he could have been asked to pilot this Bill, or some other Cabinet Minister should have been asked to pilot this Bill.

Apart from this, there is one other objection. Under rule 76, I would like to know whether he has given the reasons, in private, if not publicly, for not piloting the Bill. The other aspect of the matter is, "Minister" is defined.

> "'Minister' means a member of the Council of Ministers, a Minister of State, a Deputy Minister or a Parliamentary Secretary;"

Then

> "'member in charge of the Bill' means the member who has introduced the Bill and any Minister in the case of a Government Bill;"

But my interpretation is that it distinguishes between Private Bills and Government Bills. For Private Bills the member who introduces the Bill is the member in charge. But, in the case of Government Bills, the Explanation to rule 76 says:

> "Notwithstanding the provisions contained in the proviso the member who introduced the Bill shall continue to be the member in charge."

unless and until he has given reasons to the contrary. Has he given any reasons as to why he is not in a position to move the Bill? I do not dispute the right of Shri Chavan to withdraw from the discussion, or agree not to move the Bill. But I do want that the rules should be observed *in toto*, if it is possible, and in spirit at least, if it is not observed in letter and spirit. We have to see what the rules want. Otherwise, anybody can come in and say: Shri Chavan has introduced the Bill; I want it to be taken up for consideration. Shri Naskar, for instance, can move it; oh, he is a Deputy Minister. Shri Pattabhi Raman can move it. That will end in chaos, which is indistinguishable from disorderly conduct of business. I would, therefore, request you to ask the Minister to give an explanation why he is not moving the Bill for consideration. I hope Shri Chavan has not left Parliament House. I do not know why he should have run away from this Bill at all. He should not have; he should have been present.

Shri Joachim Alva (Kanara): He has not run away. You know the reasons very well.

Shri Hari Vishnu Kamath: I would, therefore, ask in the first instance whether the Minister has given any reasons, which you consider adequate, for not moving the Bill for consideration. If the reasons are not adequate, then, of course, you will take your own decision. If they are adequate, then that is the end of the matter.

The Minister of State in the Ministry of Law (Shri C. R. Pattabhi Raman): As the hon. Member himself has stated: "member in charge of the Bill" means the member who has introduced the Bill and any Minister in the case of a Government Bill. Now the definition of "Minister" is "a member of the Council of Ministers,

[Shri C. R. Pattabhi Raman]

a Minister of State, a Deputy Minister or a Parliamentary Secretary". The right to introduce a Bill "on behalf", is really a formality; even though it is in the name of Shri Chavan, that does not preclude any other Minister from moving for the consideration of the Bill because a member in charge of the Bill can be a Minister in the case of Government Bills, and "Minister" includes even a Parliamentary Secretary. I do not think I am justified in taking more time of the House.

Shri Nath Pai (Rajapur): Sir, the weight of precedents on this point is so heavy, with due respect to my colleague, Shri Kamath, who normally raises these points and commands our respect and attention, the preponderance of evidence of past precedents is completely against the submission that he has made and, therefore, I think, we can go ahead with the Bill.

Shri Hari Vishnu Kamath: I would request you to give your ruling and not my hon. colleague, Shri Nath Pai.

Mr. Speaker: I am inclined to agree with Shri Nath Pai when he is opposing Shri Kamath particularly.

Shri Vidya Charan Shukla: Mr. Speaker, Sir, this is a small Bill which seeks to provide for taking of the opinion poll of the people of Goa, Daman and Diu to ascertain their wishes about the future status of this Union territory.

Everybody knows that Goa, Daman and Diu were liberated a few years back. Then we passed a Constitution (Amendment) Bill and gave them the status of a Union territory. In December 1963 a Legislature and Council of Ministers were constituted in this Union territory. Since then there have been demands from various sections of the people for the merger of the territory of Goa into Maharashtra and certain other sections have been demanding the *status quo* there.

Shri Basappa (Tiptur): There is a demand in Mysore also.

Shri Shinkre (Marmagoa): There is no demand in Mysore.

Shri Nath Pai: He is a Member from Goa.

Shri D. C. Sharma (Gurdaspur): There has been a demand on behalf of Punjab also.

Mr. Speaker: Punjab and Mysore might settle among themselves because the Members are sitting together, but across the benches there ought not be any dispute.

Shri Nath Pai: We have the authentic voice of Goa in this House.

Shri Vidya Charan Shukla: Government has been considering this matter and we came to the conclusion that a final decision in the matter should be taken very quickly because if the future of this territory remains uncertain, developmental work in the territory suffers. It was found that unless this controversy was settled for good, sizeable progress that this ex-colony should make would not be possible.

We also considered the ways and means of how this opinion of the people of Goa should be ascertained. There were suggestions made that this shuold be done during an election. There were also suggestions that this should be done by arranging an opinion poll. We ultimately decided that an opinion poll was the best means of ascertaining the wishes of the people because, as everybody in this House knows, if an issue of this kind is raised during a general election or even during a by-election, not only this issue but personalities of the persons who are contesting would get involved in the way the people will cast their votes. The ideologies of the parties on behalf of which the candidates might get elected would also get involved. So, to get a pure verdict of the people it was essential that an opinion poll was separately arranged and a clear verdict of the people obtained.

This decision to hold an opinion poll in Goa was announced on the 2nd November, 1966, and this Bill has been introduced in pursuance of that decision.

Now, I will come to a few clauses of the Bill which describe the arrangements that will be made to conduct this opinion poll. The main clause is clause 3 and that sets the issue on which the opinion poll will be taken. It is our intention that this opinion poll should take place sometimes before the General Elections. Therefore, clause 15 of the Bill says that the date of the poll will be fixed by the President.

Clause 4 of the Bill provides that electors of the Assembly constituencies in Goa, that is, the persons who have registered themselves as voters in that area shall participate in the poll in that area and voters in Daman and Diu will participate in the poll in those areas. There is some controversy about this matter. So, I would elaborate this point a little further. Under section 19 of the Representation of People Act, 1950, every person who (a) is not less than 21 years of age on the qualifying date and (b) is ordinarily the resident in the constituency, is entitled to be registered in the electoral roll for that constituency. The term 'qualifying date' has been defined in section 14 of the Act to mean the first day of January of the year in which the electoral roll is prepared or revised. Section 17 of the Act provides that no person shall be entitled to be registered in the electoral roll for more than one constituency. The term 'ordinarily resident' has been defined in section 20 of that Act. This section does not prescribe any specific time-limit as such for acquiring the qualification of 'ordinarily resident'. Section 23 of the Act provides that any person whose name is not included in the electoral roll of a constituency may apply for inclusion of his name in that roll and if the Chief Electoral Officer or the Electoral Registration Officer is satisfied that the applicant is entitled to be registered, his name can be included in the electoral roll. It has also been provided in that section that if the applicant is registered at the time of application in the electoral roll of any other constituency, the Chief Electoral Officer or the Electoral Registration Officer, as the case may be, shall inform the Electoral Registration Officer of that constituency and that officer shall, on receipt of this information, strike off the applicant's name from that electoral roll. We do not want to deny anybody the right to participate in this opinion poll if he is legally entitled to do so.

As I have said earlier, section 23 enables the Goans to register themselves as voters in Goa if they can establish that they are ordinarily resident in that area. If they are already registered elsewhere, the names will be struck off from the roll in which at present their names are entered. This facility can be availed of by these persons even now and upto a few days before the actual date of the opinion poll. It is, however, essential that they should satisfy the authorities that they are ordinarily resident in Goa.

In order that the opinion poll is conducted in an impartial manner, we have decided that the Chief Election Commissioner will hold this opinion poll under his superintendence and it will be held under his direction and under his control. He will designate the Opinion Poll Commissioners for Goa, Daman and Diu and appoint Assistant Poll Commissioners to assist the Opinion Poll Commissioner.

Clause 10 provides for polling stations being set up at various points and clause 11 provides for the appointment of presiding officers and polling officers.

The hours of poll are to be prescribed by the Chief Election Commission under clause 16. Under

[Shri Vidya Charan Shukla]

clause 19, the voting is to be done by ballot in accordance with the rules to be framed by the Government of India in consultation with the Chief Election Commissioner.

Clause 20 makes a provision for postal ballot. Under clause 27 of the Bill, the provisions of Indian Penal Code dealing with offences relating to elections are being made applicable to opinion poll with necessary modifications.

The provisions of Representation of People Act, 1951 relating to electoral offences and requisitioning of premises, vehicles, etc. for election purposes are also proposed to be made applicable in relation to the opinion poll under clauses 29 and 30.

In short, the procedure that we wish to follow here would be more or less the same that we follow in elections to State Legislatures and to Parliament except that the voting will be on the issues mentioned in Clause 3 of the Bill and not in favour of any candidate. There are certain amendments and I shall express my opinions thereon after the members have spoken.

I hope this Bill will commend itself to the House.

Mr. Speaker: Motion moved:

> "That the Bill to provide for the taking of an opinion poll to ascertain the wishes of the electors of Goa, Daman and Diu with regard to the future status thereof and for matters connected therewith, be taken into consideration."

Shri Hari Vishnu Kamath: I have got a point of order. This is a point raised under the Constitution. The earlier one was under the Rules of Procedure. This is a major point and I would request you, I crave your indulgence, to give an earnest consideration to this matter.

I yield to none in my anxiety for the early passage of this Bill so that the future of this Union Territory will be resolved or decided as soon as possible. This is the first Bill of its kind in our country, in free India. It is called the Goa, Daman and Diu (Opinion Poll) Bill, 1966. If the Chairman of the Drafting Committee, the members of the Drafting Committee, the architects of the Constitution and the Constituent Assembly had accepted the amendment that I had moved providing for a referendum in the Constitution, there would have been no difficulty in bringing a Bill like this before the House. That amendment providing for a referendum on certain issues, on certain matters, was rejected summarily and it does not find a place in the Constitution.

Now we are faced with, in effect if not exactly in so many words, a referendum. You call it an opinion poll, but forsooth it is a referendum. Now the Constitution as it has come down to us in 1950 and which still governs our institutions here, Parliamentary and otherwise, does not provide for a referendum. The Government has sought to invoke powers under Article 324 which vests certain powers in the Election Commission and the Chief Election Commissioner. I suppose no authority, particularly no Constitutional authority, can be asked to discharge, can be saddled with, functions or duties with which he is not specifically charged under the Constitution. What does Article 324 say? I am reading Clause(1):

> "The Superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament and to the Legislature of every State and of elections to the conduct of, all elections to Parliadent held under this Constitution, including the appointment of election tribunals...."

That, of course, we have deleted now under the latest Amendment Bill which we passed last week—I mean, the election tribunal.....

I am sorry, it has not yet received the President's assent; so, it is still there.

"....including the appointment of election tribunals for the decision of doubts and disputes arising out of or in connection with elections to Parliament and to the Legislatures of States shall be vested in a Commission (referred to in this Constitution as the Election Commission)."

The Election Commission consists of the Chief Election Commissioner and other officers. Now under the opinion Poll Bill, he is asked to discharge certain other functions. I do not wish to go into the details of this because it is obvious that he has referred to these clauses, namely, clauses 6 and, I suppose, 7. Clause 6 reads:

"The Chief Election Commissioner shall designate or nominate one opinion poll commissioner in relation to the opinion poll in Goa and one opinion poll commissioner in relation to the opinion poll in Daman and Diu and each such opinion poll commissioner shall be an officer of Government."

Mutatis mutandis Clause 7 also reads in the same way; It is on the same lines.

The first aspect of the point that I am seeking to raise is that there is no provision for a Bill of this kind in the Constitution. I think the basic law of the land governs all Bills, the nature of the Bills and the competence of the House itself to consider the Bills. No Parliament including this Parliament can consider Bills which are manifestly outside the Constitution. And that is their on fault. They have to stew in their own juice because they did not accept the provision for a referendum which was moved in the Constituent Assembly. There is no provision in the Constitution for a referendum nor is there any provision for an opinion poll also.

Then, I would submit that the Chief Election Commissioner cannot be burdened with functions with which he is not specifically charged under article 324 of the Constitution and the other articles governing the institution of the Election Commission and the constitutional functions, authority and powers of the Election Commission.

Shri Joachim Alva: When the Constitution was framed, Goa was not part of the Indian Union.

Shri Hari Vishnu Kamath: The other aspect of the constitutional point of order is this.

Shri N. C. Chatterjee (Burdwan): There is residuary power given.

Shri Hari Vishnu Kamath: My hon. friend might show it.

The other part of the point of order is this. The Bill provides for an opinion poll as to whether this territory will merge in Maharashtra or the *status quo* will continue, that is to say, whether Goa will merge in Maharashtra or the *status quo* will continue and whether Daman and Diu will merge in Gujarat or the *status quo* will continue with regard to those areas also. Mathematically speaking we have to consider the permutations and combinations of the various contigencies which may arise. What will happen if Goa votes for *status quo*—it may not perhaps, and it will not—and and Daman and Diu vote for merger? Again, what will happen if Daman and Diu vote for *status quo* but Goa votes for merger? Now, an important part of the second point comes. If both vote for merger, that is to say, if Goa and Daman and Diu, the constituent parts of this Union Territory vote for merger, then what will happen? Apparently, this Bill has been brought well in time for the next general elections. In case both these groups of areas vote for the *status quo* there will be no difficulty. If both vote merger, then articles 1 to 3 of the Constitution will come into operation, because at the moment, India, that is Bharat, shall be a Union of States and the term 'States' includes the Union Territories as shown in the First Schedule,

[Shri Hari Vishnu Kamath]

and the First Schedule includes Goa, Daman and Diu as a constituent unit of the Indian Union. If there is vote for a merger, then what will happen? These territories cannot be merged straightway. These cannot be merged automatically without a Bill being brought forward for amending the Constitution. Do Government promise today that in case the vote goes in favour of merger, they will bring forward a Bill and a special session of Parliament will be convened for passing the Bill to amend the Constitution so as to merge these territories with Maharashtra and Gujarat, well in time for the general elections? For, unless such a Bill is passed, the Union territory of Goa, Daman and Diu cannot be merged in Maharashtra and Gujarat for election purposes and they will continue as they are till that Bill is passed. This Bill will be infructuous unless Government give an assurance today that a Bill to amend the Constitution in case there is a vote for merger would be brought forward before the House and Parliament would pass it, and then electoral rolls will be prepared, and delimitation would take place, because there may be some new adjustments which may have to be made, and that all this procedure would be gone through before this territory of Goa, Daman and Diu is merged in Maharashtra.

Therefore, I would like briefly to sum up in this way.

First, whether this Bill is in accordance with the provisions of the Constitution in the sense that an opinion poll is not provided for in the Constitution nor is a referendum provided for under it; second, whether the Election Commission is competent under the Constitution to discharge the functions that are being assigned to it under this Bill; and third, whether a Bill to amend the Constitution, in case the opinion poll goes in favour of merger with Maharashtra and Gujarat, will be brought before the House well in time before the next general elections, so that elections will be held in Goa, Daman and Diu as part of Maharashtra and as part of Gujarat respectively. These are the three aspects of the point of order I am raising.

Shri Nath Pai: He has raised a weighty point. May I in a very short time give an equally weighty reply? In the first place, the unconstitutionality of any legislation is to be agitated in the Supreme Court by any party which is aggrieved. I will not waste so much time; I am not used to, but I will quote the relevant article, article 248, which is very specific on the point.

Shri Hari Vishnu Kamath: Do not waste time showing your ignorance of the rules and the Constitution.

Shri Nath Pai: Article 24: say:

> "Parliament has exclusive power to make any law with respect to any matter not enumerated in the Concurrent List or State List".

There is no such preclusion. We are passing a law, and this law is not excluded. Therefore, we are entitled to proceed.

Shri Hari Vishnu Kamath: He has not followed the point.

Mr. Speaer: I have followed and I will give the answer.

Shri N. C. Chatterjee: I only want to point out that the Constitution-makers deliberately made this Parliament the residuary legatee, and certain specific powers were given to us—articles 245 for Parliament, article 246 for State Legislatures. But then we did not stop there. We have been made the residuary legatee. Here we have made a conscious departure from other Constitutions. The marginal heading of article 248 is 'Residuary powers of legislation'. Then the article itself says:

> "Parliament has exclusive power to make any law with res-

pect to any matter not enumerated in the Concurrent List or State List".

This is a matter not enumerated in the Concurrent List nor in the State List. If you look at the safeguards, it goes further.

An. hon. Member: What about Beru Bari?

Shri N. C. Chatterjee: "Such power shall include the power of making any law imposing a tax not mentioned in either of those Lists".

Therefore, we have got complete power.

Shri Hari Vishnu Kamath: Article 248 does not apply.

Shri N. C. Chatterjee: It does.

First of all, let us take up the question whether we have got the power. The power is derived from Chapter I of Part XI. It deals with legislative powers. Laws can be made by Parliament and by the Legislatures of States with reference to the lists. I am pointing out that if they are not either in the Union List or Concurrent List or in any List for that matter, we have got complete residuary power.

Shri Nath Pai: And the power is not specifically excluded.

Shri N. C. Chatterjee: Yes. According to that Article we have got the power.

Shri Kamath made a point concerning articles 2 and 3 without any reference, without any referendum, without consulting the wishes of the people of a particular territory, Parliament can, under article 3, form a new State, increase the area of any State, diminish the area of any State alter the boundaries of any State or alter the name of any State. Later under article 4, clause (2),

> "No such law as aforesaid shall be deemed to be an amendment of this Constitution..."

You can do it even by an ordinary law without going through that complicated procedure.

श्री बड़े (खारगोन) : अध्यक्ष महोदय, श्री एन० सी० चटर्जी ने श्री कामथ द्वारा उठाए गए एक पायंट का जवाब नहीं दिया है....

अध्यक्ष महोदय : वह मैं दूंगा।

श्री बड़े : .... कि इलेक्शन कमीशन को जो पावर नहीं है, क्या हम यह बिल पास कर के वह पावर उस को दे सकते हैं।

Shri N. Dandeker (Gonda): In the first place, I agree with Shri N. C. Chatterjee that article 248 really covers the matter of competence of this House to legislate this Bill. There is also item 97 of List, I, Seventh Schedule:

> "Any other mttter not enumerated in List II or Iist IV including any tax not mentioned in either of those Lists".

I have no doubt that this Parliament, both Houses together, have every right and competence to undertake an enactment of this kind.

I am, however, troubled about two other matters, both of which Mr. Kamath mentioned, but in a slightly different way. Though you Sir said you would be explaining how, I do wonder how the Chief Election Commissioner can be entrusted with duties of the kind with which he is not statutorily concerned, because if that were so, it would be possible, for instance, to invest the Chief Justice of the Supreme Court with the power of running a tobacco shop or something of that kind, or to undertake State Trading. I would suggest that it is a serious matter to add in this way to the functions of the Election Commission, which are defined. The Chief Election Commissioner is only one of the members of the Commission, and I frankly have some doubt as to whether he can be saddled with the functions proposed under this Bill.

[Shri N. Dandeker]

I shall put the third point in a slightly different way from the way in which Mr. Kamath put it. I do not want to complicate the thing by supposing that the opinion poll in Goa goes one way and that in Diu and Daman goes another way. Let us suppose that the opinion poll in all these territories of Goa, Diu and Daman goes one way, namely, let us say, they should merge. Then, unless the Constitution is amended first before the General Election takes place whereby the particular territory is merged into the State into which it is to be merged, you may have this extraordinary situation that an opinion poll says it should be merged, but meanwhile the election takes place and, shall we say, the United Goans come in a majority who are against merger. You would then have the most exetraordinary situation where the opinion poll says "merge", and you have the legislature which says "do not merge". I do not know what would happen and the kind of situation, apart from anything else, of law and order and utter confusion that might prevail if over the head of such a legislature so composed, the Union Parliament were to pass legislation to merge Goa, Diu and Daman into whatever State it is going to be merged.

So, I think first the opinion poll result should be known. If merger is not the decision, I do not see any difficulty, but if merger is the decision, unless the territorial merger first takes place by constitutional amendment before the General Elections take place, I really cannot see how utter confusion can be avoided. I think it would and could result in an awfully serious situation of the kind I described.

Let me repeat it. If supposing Goa votes for merger with Maharashtra but the territorial readjustments of the constituencies is not made before General Elections take place, and suppose the United Goans come in a majority, as they well might, what happens? You get a situation in which the Government of Goa itself might be involved in a law and order situation *vis-a-vis* the Government of India; and I cannot see how you can get away from it without trying to avoid this sort of conflict by an appropriate amendment of the Constitution.

Shri Joachim Alva: Did not the ruling party face the route of an election?

Shri H. N. Mukerjee (Calcutta Central): I do have a feeling that in regard to all the points pressed by Mr. Kamath certain difficulties arise, in regard to which we have to have some kind of assurances from Government. Otherwise, the whole proceedings might be infructuous.

I think Mr. Kamath was not quite right in pointing out that since the Constituent Assembly had rejected the idea of a referendun, it is not open to this Parliament by way of legislation to ask for something which is in the nature of a referendum. Of course, I do not go to the other extreme which some of my friends here have tried to adopt in the matter. This House is entirely a sovereign body. Of course we are sovereign under the throne of the Constitution. In regard to the other two points which were raised by Mr. Dandeker also, the answers have not been forthcoming and I cannot quite conceive what answers can be forthcoming. The Election Commission is a body to which we attach the very highest importance. It is almost on a par with the Supreme Court and the UPSC and it would be very wrong if we look upon it as a limb of Government at the beck and call of the administration, ministers, deputy ministers and parliamentary secretaries. It would be very wrong if we pass a Bill which calls upon the Election Commission to undertake jobs which under the Constitution it is under no obligation to do. I do not pose to be a constitutional expert, but I do not quite see how the Election Commission itself can go ahead interpreting the Constitution so that it may extend its ambit and undertake such jobs as are envisaged in this Bill. I say this, even though like Mr. Kamath, I entirely approve of the Bill and I wish

it to be passed as soon ever as it is possible. In view of the provision in the Constitution which strictly delimits the area of operation of the Election Commission, it may not be open to the Election Commission, merely because the Government wants it, to do X or Y job. To that some answer has to be forthcoming. I cannot quite envisage what it can be.

The third point which Mr. Kamath pointed out seems to be unanswerable. I do not quite see why Mr. Chatterjee did not tackle it. I do not understand why we shall pass legislation which on the basis of the programme of legislation before us we cannot follow up. There is no point in our passing legislation asking for certain parts of our country to express their opinion in regard to merger with another State, one or the other, and then leave it hanging high and dry and nothing happens. Therefore, unless the Government as Mr. Kamath suggested comes forward with an undertaking before the House, there is no point. Whether the Constitution amendment is necessitated or not is a different proposition. Anyhow, consequential legislative proceedings have got to be guaranteed in order to make sure that the results of this opinion poll should be given legislative expression. Otherwise, there is no good asking for an opinion poll which would be entirely infructuous. I am sorry I have been taking the time merely to repeat some of the points, but I do feel that these two points are really unanswerable, and unless some answer is given it is wasting the time of the country if we go ahead with this legislation which otherwise we approve of.

Mr. Speaker: All points have been stated and Members should be brief.

Shri Shinkre: Sir, I do not hold any brief for the Government. They have brought this Bill so late in the day. I think the objections raised by Mr. Dandeker, although apparently valid do not go really deep into the matter. If we agree that under article 248 we can legislate in this matter, it necessarily follows that the Election Commission will have the statutory power under the provisions of this Bill. Article 324 says what the Election Commission should do. It does not say that the Election Commission may not occasionally be entrusted with some other work that had provided. I would add as this interpretation comes exactly as a result of commonsense—Parliament enacts the law. The Election Commission has been created in this country under the Constitution for electoral purposes. There is this measure which the Government wants to enact. The provisions of this Bill for all practical purposes include elections; only there are no candidates. All the procedure adopted in this Bill is that of election. There is no bar in article 324 that it should not be entrusted with any other work which is similar in nature. I do not think the objection of Shri Dandeker holds.

Shri Alvares (Panjim): May I offer an explanation of the point raised by Shri Dandekar so that there is no confusion. There are two possible courses open in this Bill. One is to vote for *status quo* and the other is to vote for merger with Maharashtra. I do not visualise any confusion, because if the vote goes in favour of Maharashtra, then the Government will have to bring a Bill for amending the Constitution, to provide for the merger of Goa with Maharashtra and that can be done in the lame duck session or even later. If, as is unlikely, the opinion poll votes for the *status quo*—

Mr. Speaker: Lame duck session would be held after the election.

Shri Alvares: It does not matter. It is quite possible that the session will be held after the election. It cannot be held before. There is nothing to be confused about. After the session, the Government can bring a Bill amending the Constitution, providing for the merger of Goa with Maharashtra, and then, after delimitation of the constituencies, provided for the territory of Goa in merger with Maharashtra, a separate election may be

[Shri Alvares]

held. In the alternative, if the opinion poll confirms the present position, then 28 seats will be provided under the Union Territories Act and an election in these circumstances can be held for the Goa territory.

Shri Sivamurthi Swamy (Koppal): Our work will be wasted unless the Constitution is amended. The Constitution should be amended and then the Chief Election Commissioner can be entrusted with this work relating to opinion poll. The Constitution should be amended and then only this Bill will be valid. Otherwise, it is infructuous.

Shri Basappa: I do not know whether it is the intention of the Government to hold simultaneously the election in respect of the General Elections and also the opinion poll. In case the election is held simultaneously with the opinion poll, then a lot of confusion will be created in the minds of the voter. The issues involved are quite different and therefore, I want to know whether they want to have both the things simultaneouly or at different times. It must be done at different times, so that the issues may be clear and the voters may know the issues on which they are asked to vote. In this simultaneous holding of both, there is bound to be confusion.

Shri Vidya Charan Shukla: As I said in my speech, we have requested the Chief Election Commissioner, not the Election Commission, to do this job. We have requested the Chief E'ection Commissioner to supervise and direct this poll. It is not as if the Election Commission is being entrusted with this work.

The second point that was raised by Shri Kamath was, what will happen about the Constitution amendment. What we propose to do after this opinion poll is held is to have one election for parliamentary constituencies only. The Legislative Assembly of Goa is not going to be elected. This kind of confusion and trouble that Shri Dandeker was envisaging is not therefore likely to arise in this case.

Shri Nath Pai: The hon. Member over there said that it is functioning like a tobacco shop and—

Mr. Speaker: No second opportunity is given.

Shri Hari Vishnu Kamath: We could not follow the answer, Sir.

Shri Nath Pai: My hon. friends Shri Dandekar and Shri Kamath have tried to raise some points, and I think they feel a genuine difficulty. Perhaps this is a question of interpretation as to whether the Chief Election Commissioner can be burdened with additional duties which are not enumerated in the first place. This is a question of the canons of interpretation. The duties which are analogous to those which are clearly and specifically defined are always implicit. I would like to point out to my two learned colleagues that when a duty in a given law is specifically and clearly defined, the duty similar to or analogous to or that is in conformity with or akin to it is implicit.

Now, what is an opinion poll? I was listening to the hon. Members very patiently. (*Interruption*) I am concluding. Shri Dandeker, who is always lucid in his remarks made rather an outrageous analogy, saying that it is like asking the Supreme Court judges to just run a tobacco shop or a coffee shop. What is an election? In an election, we try to ascertain the wishes of the people. What is an opinion poll? That is for ascertaining the wishes with regard to a specific issue in respect of a specific Bill. I do not say that the two duties are so different. I do not think that the two duties are apart—the duty of giving judgment by the Supreme Court and the running of a tobacco shop. Since both are identical. I do not think article 324 is a bar to this.

Shri C. K. Bhattacharyya: We appeal to you, Sir, to give your ruling and settle this domestic quarrel.

Mr. Hari Vishnu Kamath: Domestic quarrel is on the other side, not here.

Mr. Speaker: Several points have been raised. So far as the residuary powers are concerned, they vest in this Parliament, and Parliament can pass any legislation whether it is enumerated in this list or not. Item 97 has also been quoted. So, we are authorised to take up this legislation. There is no doubt about that.

It has been said that there would be confusion, difficulties and complications. We are not concerned with them at this moment. Let Government consider what difficulties they have to encounter and whether they have to bring any further legislation. For the present, we have to see the Bill before us and see whether we can proceed with it or not. Because of the fear that another legislation might be necessitated or there may be complications arising, we need not stop here. I have looked into the provisions of the Bill as it is, whether there is something objectionable in it due to which we cannot proceed with it.

Shri N. Dandeker: We must act with a sense of responsibility.

Mr. Speaker: Mr. Kamath has argued that under article 324 there is no provision for referendum and so the Election Commission cannot undertake this work. According to my reading of this article, it has been specified that elections would be the responsibility of the Election Commission alone and the Government cannot employ any other machinery to conduct the elections, in order to ensure fair and free elections. If the Government wants to employ any other machinery for this opinion poll, it is free to do so. But if it entrusts this work also to the Chief Election Commissioner and he is prepared to undertake it, there is nothing in the Constitution to preclude him from doing so.

Shri Hari Vishnu Kamath: I want a clarification. If Parliament or Government decides to entrust the Election Commission with some other function, is he obliged to take it up?

Mr. Speaker: I have not said he is obliged, I said, if he is also prepared to do it, he can do it.

Now, I was asked by the Swatantra Party to call Mr. Chatterjee first because he has some court business. But Mr. Alvares says he comes from Goa and he should have the first chance. Mr. Alvares.

Shri Alvares: I agree with the Minister who moved this Bill when he said that it is a small Bill, but an important one. The Bill seeks to resume an interrupted process of history when the people of Goa and Maharashtra were together and would have continued to work out their common development but for the intervention of the Portuguese in the form of a colonial power in Goa. The Bill now offers this opportunity to the Goan people to decide once again after a period of 520 years whether they want to resume this association or to continue in isolation. From that point of view, the Bill is an important one and I would commend it to the House.

The Bill has come rather late in the day. It should have been introduced long ago if the Government wanted to give the Goan people an opportunity once again—I emphasise the words 'once again'—to determine their future political status. Government's hesitation in this has been remarkable. The elections to the Goa Assembly and to Parliament, represented by my colleague Shri Shinkre and myself, was fought on the specific issue of merger of Goa into the State of Maharashtra. Whatever the Congress may say after it lost the elections disgracefully losing all deposits except one, it is relevant to the situation today, because it is this fact that has been recognised now belatedly by the

[Shri Alvares]

Government. Then the pro-merger government headed by the Chief Minister, Shri Bandodkar, was charged with the responsibility of furthering the cause of merger of Goa into Maharashtra. After a repeated number of processes, Shri Shastri offered the Chief Minister the alternative of mid-term elections to decide once again the future of Goa. While we stuck to the position that the 1963 December elections had decided this question once and for all, in our anxiety to accommodate the Opposition and the opposing point of view we agreed that mid-term elections may be held in order to determine what the people of Goa want. The Prime Minister then and the Prime Minister today conveyed to the Government of Goa that it was Government's irrevocable decision that mid-term elections should be held. I do not know what happened in between and the issue of the Opinion Poll came before us. We could have as well asked the Government to adhere to their first decision to hold mid-term elections, but once again, in a sense of fairplay, in order that the future should be decided without any rancour and that there should be residuary ill-effects left, we agreed that the Opinion Poll should be held. I am glad, Sir, that this Bill has finally been introduced.

In regard to this Opinion Poll Bill, may I say that the Government tactics have not been fair to those who advocate merger, they have not been fair to the Government that stands for merger with Maharashtra. Today we have read in the papers that the Chief Minister has already submitted his resignation to the Governor. Why should this be so? Why should this Government not trust the Chief Minister of Goa as they trust their own Government in fifteen other States? Why should it ask that the Chief Minister of Goa must resign in order that the Opinion Poll may be free and fair? Could we not impose this condition, if the condition of the resignation of the Chief Minister is a *sine qua non* of free elections, in other States and say that in all the other States before the next general elections the Congress Ministries must resign on the basis of the demand of the resignation of the Chief Minister in Goa?

This is what we call 'elbow squeezing'. May I say that it is unfair of this Government to ask the Chief Minister to resign particularly when the Chief Minister of Goa made it clear that it is not his intention like other Congress Chief Ministers to carry on *ad infinitum* but to remain only in order to facilitate the merger of Goa with Maharashtra.

18.00 hrs.

Having said this, may I suggest that it is also not necessary for the Government to apply the squeeze in order to dissolve the Goa Assembly. Why can't the Goa Assembly continue as the Punjab Assembly continued? We have a precedent. There cannot be two norms one for the Congress Government and another for the non-Congress Government. Shri Kamath had argued, in the case of Kerala, that after the last elections in Kerala if the Government had given the Opposition an opportunity to form the Government the Opposition would have been able to do so. He proved mathematically that they would be able to form a Government in Kerala. But the Government were in a haste to dissolve the Assembly even before the members had taken their oath. But in the case of Punjab—I have no quarrel at all—the Punjab Assembly was continued and put in suspended animation till the 1st of November when the assembly seats were bifurcated. I have no quarrel with that. But I would ask, on behalf of Goa, for the same procedure. The same principle should apply and the Assembly should not be dissolved but should continue in suspended animation till the result of the opinion poll is known. Of course, there are two contingencies provided in the Bill. One is that of the opinion poll voting for the *status quo*; the other of the opinion poll vot-

ing for merger with Maharashtra. Where is the hurry now to dissolve the Assembly? The Assembly can continue and, in the event of the opinion poll declaring for merger with Maharashtra, the Assembly can be dissolved then, when the Government will introduce a Constitution Amendment Bill, providing for the merger of the Union Territory of Goa with the State of Maharashtra. But, in the eventuality of the opinion poll . . .

Mr. Speaker: Is he likely to conclude very soon?

Shri Alvares: Sir, I will take a little more time. I hope you will agree to give me more time.

Mr. Speaker: Then, he might continue his speech tomorrow. We will now take up the Half-an-Hour Discussion.

18.02 hrs.

PRIMARY EDUCATION IN CALCUTTA*

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय कलकत्ता हिन्दुस्तान का सब से बड़ा शहर है, और उस में प्राथमिक शिक्षा की इस वक्त जो हालत है उस का सवाल इस बहस के द्वारा मैं आज उठाना चाहता हूं। कलकत्ता शहर में प्राथमिक शिक्षा की जो खराब हालत है वह कलकत्ता महापालिका के लिये, पश्चिम बंगाल की सरकार के लिये और श्रीमती इन्दिरा गांधी की केन्द्रीय सरकार के लिये एक शर्म का विषय है।

श्री न० प्र० यादव (गोलामढ़ी): अध्यक्ष महोदय, सदन में कोरम नहीं है।

अध्यक्ष महोदय : घंटी बजाई जा रही है। . . . अब भी कोरम नहीं है। हाउस एडजर्न किया जाता है।

18.05 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, December 1, 1966/Agrahayana 10, 1888 (Saka).

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*Half-anHour Discussion.